

ANTHONY LOYD

Inside the mind of an Algerian killer

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NEW FILMS

George Clooney and Nicole Kidman on the trail of nuclear weapons

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Marianne Wiggins on Jan Morris
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32 PAGES IN TWO SECTIONS

Strasbourg Four attack 'Stalinist tendencies'

Labour bans 'old guard' MEPs for defying gag

By CHARLES BRENNER AND JAMES LANDALE

LABOUR'S battle with its old guard in the European Parliament intensified yesterday when four dissident MEPs were summarily suspended for refusing to sign a gagging rule forbidding criticism of party policy.

The four, who are among the most "old Labour" of the party's 62 MEPs, had refused to obey a 3pm deadline to accept a code of practice banning them from talking to the media about the proportional representation system of voting to be introduced for elections to the Parliament in 1999.

The group, swiftly nicknamed the Strasbourg Four, were unrepentant and one said that Labour was showing "Stalinist tendencies".

Hugh Kerr, the member for Essex, West and Herefordshire East, added: "This is outrageous. This shows that new Labour is increasingly authoritarian and centralised."

Ken Coates, the Nottingham and Chesterfield MEP who has denounced Labour's control tactics as "darkly authoritarian", said: "The

Santer issues EMU warning to Britain

Jacques Santer, the President of the European Commission, yesterday said that Britain risked paying a price in lost prosperity if it stayed outside monetary union at its launch in 1999. Mr Santer said that the future euro would cement the single market by bringing the EU economies ever closer.

Issue at stake is a system in which people will not have any constituencies and will not vote for individuals. They will be asked to pick a party which, then, according to its own reasons, decides who has won.

Alex Falconer, a former shop steward who represents Mid Scotland and Fife, said that he wanted the same liberty to express views that Welsh MEPs had been allowed in the devolution debate. "It's a very

dangerous road we are going up," he said. "If the Labour Party doesn't support the freedom of liberty and thought, then it is nothing."

The three and Michael Hindley (Lancashire South) have been "suspended from the privileges of membership of the European Parliamentary Labour Party", which means they will not be allowed to attend party meetings in Strasbourg, Brussels or in Britain. Nor will they receive minutes or policy briefings, but they will be expected to obey the party whip in votes.

Jose Maria Gil Robles, the president of the Parliament, has promised Mr Coates an inquiry into his complaint that the code of practice violated the rule that members "shall not be bound by any instructions and shall not receive a binding mandate". Senior Gil Robles said that he would defend members' rights, but he also noted that political groups were free to set their own rules.

Wayne David, the Labour leader in Strasbourg, said that it was nonsense to suggest that the code of practice was against parliamentary rules and defended the suspension of the quartet. "This is not something that we like doing, but we think it very important that Labour MEPs, like everyone else in the Labour Party, accepts collective decisions and procedures which have been agreed by the NEC."

However, about half of the party's MEPs did not back the code, and the adoption of PR is seen by many as the Blairites' revenge for their refusal to jettison "old Labour" views. Under the PR system, people will vote for parties, not individuals, which will draw up lists of candidates. Those near the top are obviously most likely to be elected; the "old Labour" MEPs expect to be put near the bottom.

Mr Blair has been gunning for Mr Coates and other MEPs since they rebelled against the repeal of Clause Four of the party's constitution. More than 30 signed a front-page advertisement in *The Guardian* in 1995 and then heckled the party leader when he addressed them in Brussels. Mr Blair rebuked Mr Coates for "gross discourtesy" and "infantile incompetence".

Graham Mather, page 20
Leading article, page 21



Lindsay Graham, who fell in love with a killer on death row after seeing a television programme about him

British wife sees killer executed

FROM JAMES BONE IN NEW YORK

A BRITISH woman watched yesterday as the murderer she married on death row was executed in America despite a global campaign to save him.

Lindsay Graham, a former social worker from Cheltenham, was among 19 witnesses as Alan Bannister, 39, received a lethal injection at the Potosi Correctional Centre in Missouri for a 1982 contract killing.

Ms Graham was allowed a final meeting with her husband, whom she married four years ago after watching a British television documentary about his case. The encounter took place in a prison visiting room divided by a wire mesh fence, while a guard took notes.

"I am going to be a widow in a few hours," she told reporters outside. "That is the most hideous, cruel and barbaric system behind those walls. When I was with him, I was not allowed to kiss him."

Bannister issued his own statement after eating a last supper of steak, fried mushrooms, a baked potato with sour cream, a salad and a large cola. He called his execution "as premeditated

a murder as possible, more heinous than my crime". Bannister, who had convictions for rape, robbery and burglary, was found guilty of shooting Darrell Ruestman through the heart at his mobile home. Prosecutors described the murder as a contract killing for \$4,000 (£2,480), paid for by a man whose wife was having an affair with the victim.

Bannister admitted that he shot Ruestman, but claimed he did so accidentally during a struggle and should have been convicted only of second-degree murder, which does not carry the death penalty.

Bannister became a cause célèbre in 1992 with the broadcast of a documentary, entitled *Execution Protocol*, by the London film-maker, Stephen Trombley. Scores of British MPs and several Hollywood stars appealed to the Missouri Governor for clemency in the case.

Ms Graham began corresponding with Bannister in jail after seeing the documentary. "Was I attracted to him, the image on television?" she once said. "Oh yeah. I was physically attracted."



Bannister: hired gun

Nigerian officials barred from Britain

By Michael Binyon and Jill Sherman

ROBIN COOK, the Foreign Secretary, yesterday warned the uninvited Nigerian military government that if any of its members turned up for the Commonwealth summit opening in Edinburgh tomorrow, they would be put straight back on a plane home.

The move came after a Commonwealth appeal to Nigeria not to send a delegation to Edinburgh. Mr Cook added that any Nigerian with a valid visa who did enter Britain would not be allowed into the conference hall.

A Nigerian plane, with officials determined to have their say over possible further sanctions, may arrive in Scotland today. General Sani Abacha, leader of the Nigerian Military Government, has demanded a hearing from other Commonwealth members before additional sanctions against his country are considered. Tom Ikimi, the Foreign Minister, said that he was sending a delegation which might include himself.

British officials made clear yesterday that visas would not be issued to any deputation and it would be turned back at Edinburgh airport. "Members of the Nigerian regime cannot enter the United Kingdom because of the visa restrictions imposed by the European Union in early 1996," said a spokesman.

The Foreign Office has issued a warning to air traffic control, but the Government has so far made few contingency plans. Yesterday the airport was unaware of any flight plan, which a private plane would have to file. The police, and maybe the RAF, will be alerted.

Mr Ikimi accused the Commonwealth of excluding Nigerians from the summit.

Continued on page 2, col 3

Minister calls for voting system reform

By PHILIP WEBSTER, POLITICAL EDITOR

A GOVERNMENT minister today calls for reform of the voting system for House of Commons elections amid signs that the Labour leadership is increasingly relaxed about change.

A move to the Australian system, known as the alternative vote (AV), is backed by Peter Hain, the Welsh Office minister, in an article in *The Times*. He says it offers a more credible and practical agenda for electoral reform than those offered by proportional representation.

With Tony Blair committed to holding a referendum during the present Parliament on electoral reform, there is a growing belief among Labour leaders that a switch to AV is the only change the Commons would back to replace the first-past-the-post system. A move to PR would involve MPs voting themselves out of their jobs.

The Liberal Democrats are pressing for a full-blown proportional representation system and view the

AV option as an attempt to fob them off. But all recent studies suggest that AV would benefit both Labour and the Liberal Democrats and could keep the Conservatives in the wilderness for decades.

The attraction of the system is that it would retain the link between an MP and his constituency — something that Mr Blair believes to be essential — and it would not require boundary changes.

Under AV, voters mark the ballot paper with a 1, 2 and 3 to indicate their order of preference instead of just voting for one candidate. The lower choices are reallocated until one candidate receives more than 50 per cent. One study has suggested that if the May election had been fought on AV, Labour would have done even better and won 452 seats instead of the massive 419 it got, and the Liberal Democrats would have secured 90 instead of 46.

Sensible alternative, page 20

Au pair 'happy'

The mother of Louise Woodward, the teenage au pair accused in America of murdering a baby in her care, told the trial yesterday that her daughter had been happy in her job.

Peter Hain	
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Older image coined for Queen



The changing face of British coins: 1953, left, 1968, 1985, and 1998. The latest design "has a sense of gravitas"

By DAMIAN WHITWORTH

A NEW portrait of the Queen, reflecting her advancing years, has been chosen to appear on coins from next year.

The image, the fourth of her reign and very different to the current youthful portrait, was chosen by a committee chaired by the Duke of Edinburgh and approved by the Queen.

The design, by the sculptor Ian Rank-Broadley, replaces that of Raphael Maklouf, which was introduced in 1985. The Queen, 71, was then 58, but was portrayed as rather younger.

"I felt no need to disguise the maturity of her years," said Mr Rank-Broadley. "There's no need to flatter her. She's a 70-year-old woman with poise and bearing. She's recognisable and approachable with an amazing sense of fun."

One doesn't want to see a rather distant mask.

He said, however, that the woman he was portraying should be unmistakably regal. "We are used to looking at photographs — expecting a smile. For a piece of sculpture that looks quite different. This is an icon; they don't smile. It has a sense of gravitas about it. This is the coinage, and a smile would be inappropriate."

Mr Rank-Broadley's design was selected from 19 rival ones by the Royal Mint Advisory Committee. "I had a very definite idea of what the coin should look like," he said. "I should look like the coinage is getting smaller and the image diminishing at such a rate that soon you wouldn't be able to see her. It was very important that she could be recognised, so I used as big an image as possible."

The sculptor did not meet the Queen during work on the designs, but he did have discussions with the Duke of Edinburgh. "The Queen has approved and so has the Duke. I met him and there

was no need for changes. I feel greatly honoured. I am now part of numismatic history."

Geoffrey Kitchen, the director of modern coins at Spink & Son, the coin dealer's, welcomed the new, more realistic, portrayal but compared it unfavourably to the depiction of the Queen on a special coin conceived by Philip Nathan for her golden wedding anniversary this year.

"I would say that she looks sterner in this portrait than in Nathan's. Nathan captured her very well. He also had an element of the double chin and the flesh on the jaw line which is there in real life."

"What strikes me, looking at this portrait compared to Nathan's, is that the balance of the hair doesn't look quite right. She looks to have too much hair at the back. In Nathan's design there is less

Continued on page 2, col 5

Blair is booed by traders

By A STAFF REPORTER

A HANDFUL of unhappy City traders booed Tony Blair yesterday, apparently venting their anger over the Government's stance on the European single currency.

The Prime Minister suffered the indignity of being heckled by a few high-spirited dealers when he appeared on a balcony above the London International Financial Futures and Options Exchange (LIFFE).

When he reached the trading floor, however, he was given a warm welcome.

According to staff accompanying him the reception was overwhelmingly friendly as the traders crowded to see him.

Jack Wigglesworth, the LIFFE chairman, said in a statement: "This was a highly successful event. The Prime Minister was welcomed and greeted warmly by traders with typical robust enthusiasm and good humour."

Mr Blair was escorting Australian Prime Minister John Howard, Sri Lankan President Chandrika Kumaratunga and President Museveni of Uganda.

Photograph, page 24

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Mortgage flexibility for business people

Shun the euro and you'll pay, Santer warns

FROM CHARLES BREMNER IN BRUSSELS

JACQUES SANTER warned Britain yesterday that it risked paying a price in lost prosperity if it stayed outside monetary union at its launch in 1999.

Mr Santer, President of the European Commission, directed his remarks at Britain, Denmark and Sweden in a "state of the union" speech to the European Parliament in which he proclaimed the single currency project to be inevitable. "Those states which have chosen not to be there at the start should ask themselves what is likely to be the cost of not being on a winning team," he said.

Asked later to explain, he said that the euro would cement the single market by binding the economies of the European Union ever closer. "If you want to be in on January 1, 1999, you have to

prepare and prepare actively. Many member states are prepared to join together in this undertaking. It's not a shaky project, as the UK has suggested."

He said, however, that Tony Blair had convinced him that Britain would "play a constructive role during its presidency next year". London takes over the six-month presidency from Luxembourg in January and will be in the chair for a critical summit in May which will choose the founding states of monetary union. All except Greece are expected to meet the Maastricht qualification criteria.

EU leaders have long been sure that Britain would not embrace the euro at the outset, but until last weekend, they had been encouraged by signs that the Government was

swinging towards the scheme. Reports of the apparent decision to rule out membership for years has prompted warnings that such a move would keep Britain on the sidelines but EU officials are sceptical that the Government will formally take such a strong position.

Over the past two weeks, continental leaders have urged Britain to join the monetary project on the grounds that it would benefit the British economy and bolster the new currency. Privately, officials have been sketching a future in which a non-EMU Britain could be relegated to an antechamber with Greece. Sweden and Denmark while the EU's real economic business was run by the states in the euro zone.

Jean-Claude Juncker, the Luxembourg Prime Minister, has been voicing his irritation with the Government's claims to be leading Europe. Yesterday, he noted that Britain's opt-out from monetary union in 1991 had not "unfortunately" diminished its role in the years since.

Senior Tories urge Hague to reject currency

By NICHOLAS WOOD

WILLIAM HAGUE is coming under fresh pressure from senior Conservatives to harden his opposition to a single currency.

A group of Eurosceptic Shadow ministers was last night pressing the Tory leader to reopen the internal debate about the euro at today's meeting of the Shadow Cabinet. They want him to commit the Shadow Cabinet to keeping the pound for the rest of this Parliament and the next.

Right-wing anxieties have been fuelled by the disclosure that Gordon Brown, the Chancellor, is poised to rule out British membership of a single currency for the lifetime of this Parliament.

The official Tory line — cobbling together in the face of Shadow Cabinet divisions — is that Britain should not join for the "foreseeable future". The tongue-in-cheek pro-European interpretation is that this means that Britain could join

"next week". But one senior rightwinger commented: "The absurdity is that Labour currently appear more Euro-sceptic than we do."

The Eurosceptic Shadow Cabinet faction, which includes John Redwood, Iain Duncan-Smith, David Heathcoat-Amory and Michael Howard, is determined that the party adopts a more sceptical line on the euro than Labour. They have reminded Mr Hague that he was elected by Tory MPs on a pledge to oppose the euro for the next 10 years. And they are warning that the controversy is a crucial test of his leadership qualities.

"People are looking for leadership and consistency," one source said. "William will lose his friends and give ammunition to his critics if he does not go back to the policy that he won the leadership on."

Letters, page 21



Ladislav caused resentment in the Gypsy community by drawing attention to the attractions of life in Britain

Romany tells of arson attack that drove him to Britain

Adrian Lee spoke to star of a documentary blamed for the migration of more than 200 people

THE Czech asylum-seeker who appeared in a documentary that prompted bus loads of his compatriots to head for Britain said yesterday that he had no regrets about praising life in Dover.

Ladislav, 38, was seen on television in the Czech Republic describing how he and his family received £140 a week in benefits. The programme is blamed for encouraging the latest exodus of more than 200 people from eastern Europe.

Since then Ladislav, who has three children aged 6, 2 and 1 and a pregnant wife, Zdenka, 27, has become the focus of resentment among the Gypsy community, who fear publicity will damage their chances of a life in Britain. He asked not to be identified by his surname to protect his relatives in the

Czech Republic from reprisals, but said: "I would do it again. I told the truth. I did not say anything like 'come over, it's a nice life here.' I was speaking about Dover and said I was happy about it as it was a calm place. I said the people were nice to me, but I also said it made me sad that I could not live in my own country."

The former cook, who lives in a seafarer flat in Margate, Kent, said he was shocked that so many asylum-seekers had arrived in the past few days and acknowledged the part played by the documen-

tary. He said he did not think the flow should be stopped. "As one of them, I think they should be allowed to come. I agree that it is not good for Dover to have so many here. The people in Dover don't like it and I am not happy about it either. But it is a problem for the two governments to sort out. I do not have any solutions."

Ladislav, who lived in Prague, said he abandoned a good house, secure job and a car to seek a new life in England. "I could not live in freedom. I could not walk the street. When I worked in a

bar some people would not buy beer from me."

Last year, he said, his house was damaged in an arson attack and one of his daughters still bears the scars of the burns on her back. Ladislav said: "I have been living in fear for five or six years. I don't want lots of money here. I just want to get on with my life."

Ladislav said he had met Josef Klimek, the documentary-maker, previously and agreed to take part because he wanted to highlight the problems the Romany — he does not like the word Gypsy — are facing in the Czech Republic.

"I have not seen the programme but my family at home in the Czech Republic have watched it. It has caused me problems but I said nothing wrong."

IN BRIEF

Council gives in over care of elderly

A council faces a bill of £2.4 million after deciding yesterday not to take to the House of Lords its objection to payments for residential care of the elderly.

Sutton District Council, Merseyside, had been ordered by the Court of Appeal to pay for the care of those with savings under £10,000. It decided to accept the ruling on the eve of a meeting with Paul Boateng, the Health Minister, over a critical Audit Commission report.

Ulster meeting

Hillary Clinton is likely to meet Sinn Féin leaders along with the heads of Northern Ireland's other political parties when she visits Belfast next week. She will address a youth conference at the city's new Waterfront Centre.

Three charged

Two men, aged 18 and 38, and a 17-year-old youth have been charged with the attempted murder of Lee Holmes, who was attacked with a baseball bat outside his disabled father's home in Wolverhampton. They will appear in court today.

Dentist death

Bradley Miller, 14, died in the dentist's chair after having a tooth out. The boy, born in Barnsley, had Goldenhar syndrome, which causes facial disfigurement, and police are waiting to learn whether that may have contributed.

Cancer plea

A breast cancer drug trial is under threat because of a lack of volunteers. Scientists investigating whether tamoxifen can prevent, as well as treat, the disease need to recruit 5,000 women but only 2,200 have so far come forward.

Leeson film

Ewan McGregor will play the jailed banker Nick Leeson in the movie *Rogue Trader*, which starts shooting next month. The film will be shot in Britain, Malaysia and Singapore. Sir David Frost is executive producer.

Nigerian stunt

Continued from page 1

his Government from its deliberations while seeking its Opposition's views. Chief Emeka Anyaoku, the Commonwealth Secretary-General, sent a letter to Mr Ikimi yesterday urging that no Nigerian delegation should travel to Edinburgh.

Mr Ikimi has written saying that a delegation would fly from Abuja, the capital, arriving not earlier than an hour before the discussion on Nigeria was due to begin. Afterwards it would leave.

British officials dismissed the plan, saying: "The Nigerian request is a silly stunt."

Mr Cook made clear yesterday that the Commonwealth would vote for Nigeria's continued suspension. He also praised the "robust" package of punitive measures recommended by the eight-man Commonwealth ministerial

action group that was mandated in 1995 by the last summit to hold a hearing on Nigeria.

Britain wants it to recommend the mandatory implementation of further sanctions, including the curbing of sports and cultural links, a tightening of visa regulations, freezing of overseas bank accounts of regime members, and a downgrading of Commonwealth diplomatic missions in Abuja.

In a letter smuggled from jail in Port Harcourt, Nigeria, 20 Ogonis yesterday appealed to Commonwealth leaders to secure their release and "liberate Ogoniland from the oppression we have lived with for years".

The Ogonis, whose leader Ken Saro-Wiwa was hanged in 1993, said that several of their number had died in jail. Their letter will be presented to the four-day summit.

Queen's head

Continued from page 1

hair and the targa goes to the back of the head. In this portrait you can see where the targa ends and there is more hair at the back."

Mr Kitchen praised the decision to have a more up-to-date portrayal. "Given the length of time she has been on the throne it is silly to continue with the current portrait. Flattering is a word that is often used about it."

"We are working on some designs for Princess Diana. A number of overseas governments are interested in the idea. But one of the comments was that they weren't very flattering. That suggests that you should produce a design that is different and better than the actual person."

"You've got to have a mature portrait. In days of yore, before *The Times* and television, the portrait on the

coins was the only way that the population saw what the queen looked like."

He said Queen Victoria also had a mature and realistic portrait, on the coin known as the widow head, from 1893. The other generally used portraits of her 64-year reign were the long-surviving young head from 1837, followed, only in 1887, by the Jubilee head.

The first coins bearing the current Queen appeared in 1953, and showed her in her mid-20s. The second showed a woman of 42, from 1968. The Royal Mint calculates that it has produced 15,000 million coins bearing the third, 1985 portrait for the United Kingdom alone. The new image, like the old, will be available for Commonwealth countries.

Mr Rank-Broadley, who won £10,000 for his design, will also have his initials, IRB, on the new coin.

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Bogus cab driver jailed for killing student

Daniel McGrory reports on the case of the drunken medical graduate who went against her own advice and flagged down a stranger for a lift

A BOGUS taxi driver who abducted and murdered a medical graduate who mistakenly climbed into his car after a 21st birthday party was jailed for life yesterday. A judge described Duncan Bermingham's attack on Rachel Thacker as "quite dreadful" and said he must serve at least 20 years.

Miss Thacker, 21, had ignored the advice she was forever giving other women students and accepted a late night lift from Bermingham, thinking he was a mini cab driver. Friends said she was in high spirits after celebrating a friend's birthday when she

slumped into the battered Sierra car in the red light district of Manchester.

Bermingham, a known drug dealer from Longsight, Manchester, had been smoking cannabis and snuffing glue shortly before Miss Thacker drunkenly flagged down his car. Her companions had grabbed her arm to try to stop her from getting in.

Bermingham, 32, had driven her to wasteland where he stripped her, tried to sexually assault her, then bludgeoned her 15 times with a lump of concrete and set light to her body to disguise the attack. Every bone in her face had

been broken. Her charred body was found dumped in a pub car park.

Bermingham's escape was thwarted when his car ran out of petrol 100 yards away. Miss Thacker's friends had also alerted police to the vehicle's registration number.

Miss Thacker's parents said of their daughter: "She was a beautiful, caring and happy person whose promising life has been so tragically cut short." The gifted student had been due to start her first job working with elderly patients at a hospital in West Bromwich.

Her mother, Gill, 49, said of

her daughter's killer: "Even if he serves 20 years he'll still have a life when he gets out. My daughter doesn't have one at all."

The jury took over six hours to convict Bermingham, who was described at Manchester Crown Court as an unemployed petty thief whose criminal record began in Glasgow in 1979. Mr Justice Kay told him: "That young girl went out and she made the mistake of drinking too much. That mistake cost her her life. I have no doubt at all that your motive in abducting her was to try and take advantage sexually of her condition. And I



Rachel Thacker: killer burnt her beaten body

have no doubt your motive in killing her was because you thought if you left her alive she would tell people what you had done and you would go to prison. Callously you killed

her rather than run that risk." Jailing Bermingham, he added: "I don't know whether it will ever be safe to release you. The nature of the offence is so awful that I for one would need a lot of persuasion that it was safe to let you loose among the public."

As a student at Salford, where she graduated with a BSc in occupational therapy, Miss Thacker had campaigned for women's safety from strangers. She joined the Salford Lough Trust, set up after the 25-year-old estate agent disappeared after meeting a bogus client. However, she ignored her own advice after spending a night last August drinking a cocktail of wine and cider. She had travelled from her home in

Cannock, Staffordshire, to Salford to celebrate a girlfriend's birthday.

She told friends she wanted to get a taxi and began hailing private cars. She first jumped into a Jeep and began laughing when the startled driver told her to get out. Minutes later Bermingham pulled up in a battered and borrowed Sierra and Miss Thacker slumped into the passenger seat.

Even when two friends, Robin Parker and Mark Lynch, begged her to stay with them, she remained in the car. Mr Lynch even grabbed her arm, held the car door open and told Miss Thacker it was not a taxi, but the driver told him: "It's as good as a taxi." Then the car drove off, with the passenger door still open.

It was the last time she was seen alive. "I couldn't believe it really," said Mr Parker. "I couldn't believe she got in the car in the first place, and I couldn't believe the car had just driven off."

Bermingham was confident he had destroyed the evidence by setting fire to the car and cleaning his flat to get rid of traces of Miss Thacker's blood. He even removed the waste pipes from under the sink in case there were traces of blood in them.

He said scratches and abrasions on his arms were the result of a fight with his girlfriend, but a DNA test proved to be a match. Police believe Bermingham had been touring what is a notorious red light district looking for a prostitute.

Au pair was happy in America, mother tells murder court

FROM TUNKU VARADARAJAN IN CAMBRIDGE

THE mother of Louise Woodward, the teenage au pair accused in America of murdering a baby in her care, told the trial yesterday that her daughter had been happy in her job in the United States.

Susan Woodward, 41, said Miss Woodward had enjoyed looking after nine-month-old Matthew Eappen, whom she is accused of killing, and his two-year-old brother, Brendan. She told the court in Cambridge, Massachusetts, that her daughter had never spoken to her about any problems with the children's parents.

Mrs Woodward, a project officer at a college of further education in Birkenhead, on the Wirral, Merseyside, smiled at her daughter as she took the witness stand on the 11th day of the trial at Middlesex Superior Court.

She said she travelled from the family's home in Eilon, near Chester, to visit her daughter the day after Christmas last year, staying until New Year's Day. Cross-examined by prosecuting attorney Gerry Leone, Mrs

Woodward said while she was there she had taken baby Matthew for walks and rocked him to sleep.

Mr Leone asked her: "He was a very placid baby, not a crying baby at all, right?" Mrs Woodward seemed to brush a tear from one eye as she replied: "He was a beautiful child."

The prosecution alleges the attack took place only five days after the Eappens had placed a midnight curfew on Miss Woodward and gave her a list of conditions she had to accept if she wanted to remain with them. Mrs Woodward said, however, she had exchanged two e-mail messages with her daughter around that time and there had been no mention of any conversation with the couple or terms and conditions with which she would have to comply.

Mrs Woodward told how her daughter, who denies shaking and battering the baby to death in a rage in February this year, decided to take a year off in America after leaving school with

four A levels, because she had not decided what she wanted to do at university. She said Miss Woodward had never been placed under a curfew at home. "We didn't need it," she said.

Her daughter was the eldest of 13 grandchildren in their large extended family and had been used to looking after babies and young children, she added. "Louise is a big sister to all the other children," she said.

Later, neurologist Dr Ayub Khan Ommaya, a former Rhodes scholar at Oxford and an authority on head and brain injuries, said the baby could not have suffered a severe trauma to his head on February 4 because there was no swelling when he got to hospital. There could have been no prolonged shaking because of the lack of neck damage.

"Pathology is always the final truth," Dr Ommaya told the court. "This is where we have to go to find what happened. The findings are absolutely clear."

The trial continues.



Louise Woodward: "Big sister to other children," mother said

Judges quash conviction and order retrial in 'stalking' case

Woman must face second courtroom ordeal, reports Michael Horsnell

CLARENCE MORRIS, the alleged stalker who was sent to prison for five years for harassing a dental nurse, faces a retrial after having his conviction quashed yesterday by the Court of Appeal.

Three judges allowed his appeal against conviction of causing actual bodily harm to Perry Southall, 20, who will now face a second courtroom ordeal. Morris, 38, from Poplar, east London, who allegedly left Miss Southall increasingly frightened during an eight-month campaign, will remain in custody until the retrial. The harassment is said to have been started after Morris called to make an appointment at the dental surgery in Whitechapel where she worked, in October 1995.

The court held that the judge at his criminal trial last year at Southwark Crown Court had wrongly refused to allow an adjournment, requested by both sides, so that expert psychiatric evidence could be called on the nature of the victim's symptoms. The appeal judges ruled that the case should not have been allowed to go before the jury without expert evidence to support the prosecution's

claim that she had suffered mental injury caused by Morris's alleged harassment.

Judge Gerald Butler, QC, refusing an adjournment for expert evidence, had said he did not think the jury needed a psychiatrist "to put a label on things". In his summing-up, he told the jurors not to set themselves up as doctors but to use their common sense and experience. But Lord Justice Potter, sitting with Mrs Justice Elsworth and Mr Justice Forbes said yesterday that the

jurors had been left to make a judgment on a matter calling for psychiatric expertise, on the evidence of the victim.

Lord Justice Potter said the actual bodily harm complained of did not comprise any direct physical injury as he never laid a hand upon his victim. "However, she gave unchallenged evidence that by reason of his sinister and intimidating actions committed over a period of time she had suffered a variety of unpleasant nervous symp-

tons arising from fright and anxiety, including personality change and physical aches and pains," the judge said.

The defence had been left at a substantial disadvantage because it was not in an informed position to challenge the nature or cause of Miss Southall's symptoms. In the light of a ruling in a similar case to the effect that expert evidence was necessary, the court allowed Morris's appeal "with some regret" and ordered a retrial "on a proper basis" as soon as possible.

Lord Justice Potter said that when Morris's first appointment was booked, he had asked Miss Southall's name and then proceeded to sing and make rhymes upon her name, before regularly visiting the surgery - standing outside, looking in, and hanging on the window. From being a happy and outgoing person Miss Southall became nervous and jumpy, and was prescribed Valium by her doctor.

In quashing the conviction and sentence, they said it was desirable that Morris be retried as soon as reasonably possible. Morris, who is believed to be ill, was not in court for the judgment.



Perry Southall, and Clarence Morris, whose conviction for causing her actual bodily harm was quashed yesterday

Dog owners bite back at show judges who are too long in tooth

Age limits could be introduced, says Philip Delves Broughton

TEETH are being bared in the dog world over complaints from owners that many judges at shows are too old, have bad eyesight and creaking bones, and are simply not up to the job.

Now the Kennel Club, which vets judges only at the highest level of judging, is taking notice and preparing to change the system whereby dog judges, like Popes, carry on working until they die.

Richard Burt Andrews, the club's assistant secretary, said yesterday that he had received complaints

from shows and individuals. "The sort of problem would be of judges who come to a ring using a stick or two sticks, people who quite clearly do not have the stamina to stand for an hour or two, and people with failing eyesight. There have also been problems with judges who are arthritic and have difficulty bending down to run their hands over the dogs." While the

club does not set rules to govern the 3,000 annual breed shows, it has issued new guidelines urging organisers to consider an "appropriate upper age limit" when selecting judges.

Harry Jordan, 79, who judged the Crufts Best of Show in 1996, remains active as one of the oldest judges on the circuit. "I don't know what the Kennel Club is on about," he says. "Individual

shows can simply not use a judge if he is not up to it. You just can't expect younger judges to know as much as the older ones." All you need is a good pair of eyes. Some people at 80 are better than many at 60."

Peggy Grayson, 77, a dog judge since 1943 and author of a handbook for dog judges, says: "This is just plain stupid. If people are not up to it, don't invite them to shows." She adds: "All people like me hope is that we can drop dead when we are judging. That would be the best way to go."



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Rector's alleged mistress 'was a sexual fantasist'

By RUSSELL JENKINS

A WOMAN who claimed that she was a derygman's mistress for six years was a sexual fantasist who imagined the affair, he told a church court yesterday.

The Rev Clifford Williams, 49, said that his accuser, Iris Green, 56, suffered deep personal problems, was possessive and subject to wild mood swings. She grew so obsessive about him that she took to "stalking" him and was caught on at least one occasion listening at a keyhole. Mr Williams, rector of Benllech, Anglesey, North Wales, vehemently denied having affairs with Mrs Green or any other woman in his congregation.

He described how he went to see Mrs Green at her home in Tyn-y-Gongl, Anglesey, several months after she arrived in the parish in September 1989. Mrs Green, a music teacher, had wanted to set up a church choir, which he had been trying to encourage.

Soon she was revealing intimate details of her past affairs, her sexual life with her husband and how easily she was "turned on". On one occasion, the rector said, he inadvertently walked into Mrs Green's front room as she was preparing to have sex with a much younger man.

Mr Williams told an ecclesiastical court in Caernarfon, North Wales, that he had earlier listened with sadness to the evidence given by the Bishop of Bangor, the Right Rev Barry Morgan. The bishop singled out a photograph, taken on a church trip in 1988, which he said showed Mr Williams floating in the Dead Sea with his toes "virtually touching the breasts" of Anne Williams, a married parishioner.

Dr Morgan said that three people, including Mrs Green, came to see him to tell him that Mr Williams was having affairs with two women in his congregation. Dr Morgan accused the rector of lying repeatedly to him when he denied that he was the author

of handwritten notes and taped telephone answer machine messages suggesting an intimate relationship.

Mr Williams, a father of three, is facing four charges of "giving just cause for scandal or offence". He denies conducting an adulterous affair with Mrs Green, one of the congregation at St Andrew's Church. He also denies that he had an improper relationship with Anne Williams.

Eric Somerset Jones, QC, counsel for Mr Williams, suggested that when Mrs Green first came to the parish she had given the impression that she was mourning the recent death in a motorcycle accident of her 17-year-old son. In fact, the teenager's death was ten years previously, he said.

Mr Williams told the court that Mrs Green had swiftly confided in him that her husband was no longer interested in her sexually and that

he said that in December 1990 he had gone to Mrs Green's house and had discovered her and another man "on the floor in her front room having intercourse". The man's trousers had been "half-way down" and Mrs Green's blouse had been open. He had heard her shouting as he left hurriedly.

When he got home Mrs Green had called him on the telephone. She was crying as she told him that she was so ashamed that she was going to leave the village. The young man was even more upset because it had been his first sexual experience, Mr Williams said. He was 22 and she was 54.

Mr Williams said Mrs Green began making allegations and accusations about his relationships with other women — Anne Williams and Enid Williams. He said he caught Mrs Green "stalking him" more than once. On one occasion she almost fell in when he opened Enid Williams's front door after a visit with his wife. She had been listening at the front door. Once she left a birthday card for him under his car windscreen wiper as he was visiting Anne Williams's home.

Earlier, Peter Day, one of the churchwardens, had told the court that hardly a day went by without Mr Williams's car being parked outside Anne Williams's house. Mr Somerset Jones suggested that Mr Day had a personal animus towards the rector. He was accused of triggering the article in the Sunday newspaper which provoked the inquiry.

Mr Williams said that he was frequently followed by Mr Day. He also held up a small black lens of a security video camera as evidence he was being spied upon. The lens was attached to a cable which he said he found hidden in a fake fire hydrant outside Anne Williams's home.

The hearing continues today.



Williams said that Mrs Green was possessive

he had had numerous affairs with younger women. She told him of two other relationships she had had with men and one with a woman.

She had confessed to him that she was easily aroused sexually, and had used the expression "it doesn't take much to get me going". It became apparent that she had mood swings and was possessive.



Jane Asher, painted in melted chocolate, advertising Home Wheat biscuits. McVitie's wants a spicier image

McVitie's axes Jane Asher to hobnob with the trendies

Actress is dropped so biscuits can 'create impact', writes Peter Foster

JANE ASHER, actress and cake-making heroine to the middle classes, is to be dropped as the public face of McVitie's biscuit company because it wants to be more trendy.

Her image has been used to promote the company's biscuits, whose brands include Hob-Nobs and Home Wheat digestives, since 1994. But now it seems Miss Asher, 51, has fallen victim to plans to spice up the image of products more usually associated with vicars' tea parties and WI meetings.

McVitie's has already employed the television comedians Steve Coogan and Vic Reeves to give a more modern gloss to its advertising campaigns. According to the advertising industry magazine *Marketing*, it is looking for a replacement for Miss Asher in a similar vein.

Earlier this year the actress tried to adopt a more trendy approach to promoting digestive biscuits. Putting aside her usual punny and pudding basin Miss Asher allowed a body

would continue to endorse a range of McVitie's biscuits, cakes and frozen desserts.

One advertising executive was sceptical that the decision would "pay dividends". "McVitie's is talking about getting a fresher and trendier look — but how trendy can you make a chocolate digestive?"

And there is still hope for fans of Miss Asher. In 1994 Joanna Lumley was dropped by the German yoghurt firm Müller in favour of Naomi Campbell, a model half her age. Popular protest forced the company to bring her back.

Blow for diplomacy at embassy football punch-up

By RICHARD DUCE

AS DIPLOMATIC incidents go, few can have been so fast and furious as that witnessed on a playing field in West London. Staff from the South African and Irish Embassies traded blows with such vehemence during a football match that police had to be called to break up violent scenes that left one man unconscious with a broken jaw.

The match between the two embassies was abandoned after one of the South Africans was sent off for a foul and spat at an opponent as he was leaving the field. All 22 players were then involved in a fight, until a police van arrived at the Fuller's Brewery playing field in Chiswick.

The Third Secretary at the South African Embassy in London, conceded that the incident was a public relations disaster. Jeanne Denyer said inquiries were continuing into the incident on Saturday at the embassies' league match and added: "I will speak to people involved in the fight. But we come from a democratic country and believe people should have the right to defend themselves first."

A South African Embassy spokeswoman added: "Obviously this is something we wish to dissociate ourselves from. Not all the players in our team were members of staff and not all were even South Africans."

"Some were friends and this is the first time we have ever been involved in anything like this. Disciplinary action is being taken." The South Africans were ahead 2-1, but the team now faces expulsion from the competition.

An Irish Embassy spokesman said: "What happened was that one of the South Africans was sent off and then spat at an Irish player. Punches were thrown and the rest of the South Africans piled in. One of our players had his nose broken and jaw cracked. He was not a member of staff and I do not know if he is planning any civil action. At least no diplomats were involved on either side."

Police are not thought to be taking any further action.

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Christmas starts on 8th November in the Magic Kingdom. There really is something for everyone at Disneyland Paris this Christmas. To get you in the festive spirit, there are spectacular light displays, a 60-foot Christmas tree, an enchanted forest of white pine trees, carol singers and daily performances of Mickey's Christmas Show.

Wooden soldiers, snowmen, famous couples from Disney films and, of course, Father Christmas will be taking part in an all new Christmas parade inspired by Tchaikovsky's *Nutcracker Suite*.

From 16 November there will also be the brand new 'Hercules Happening' featuring all the heroes and villains from Disney's latest adventure.

And of course there are all the other attractions that make Disneyland Paris so much fun all year round. There are 50 breathtaking attractions in five magical Worlds for you to explore.

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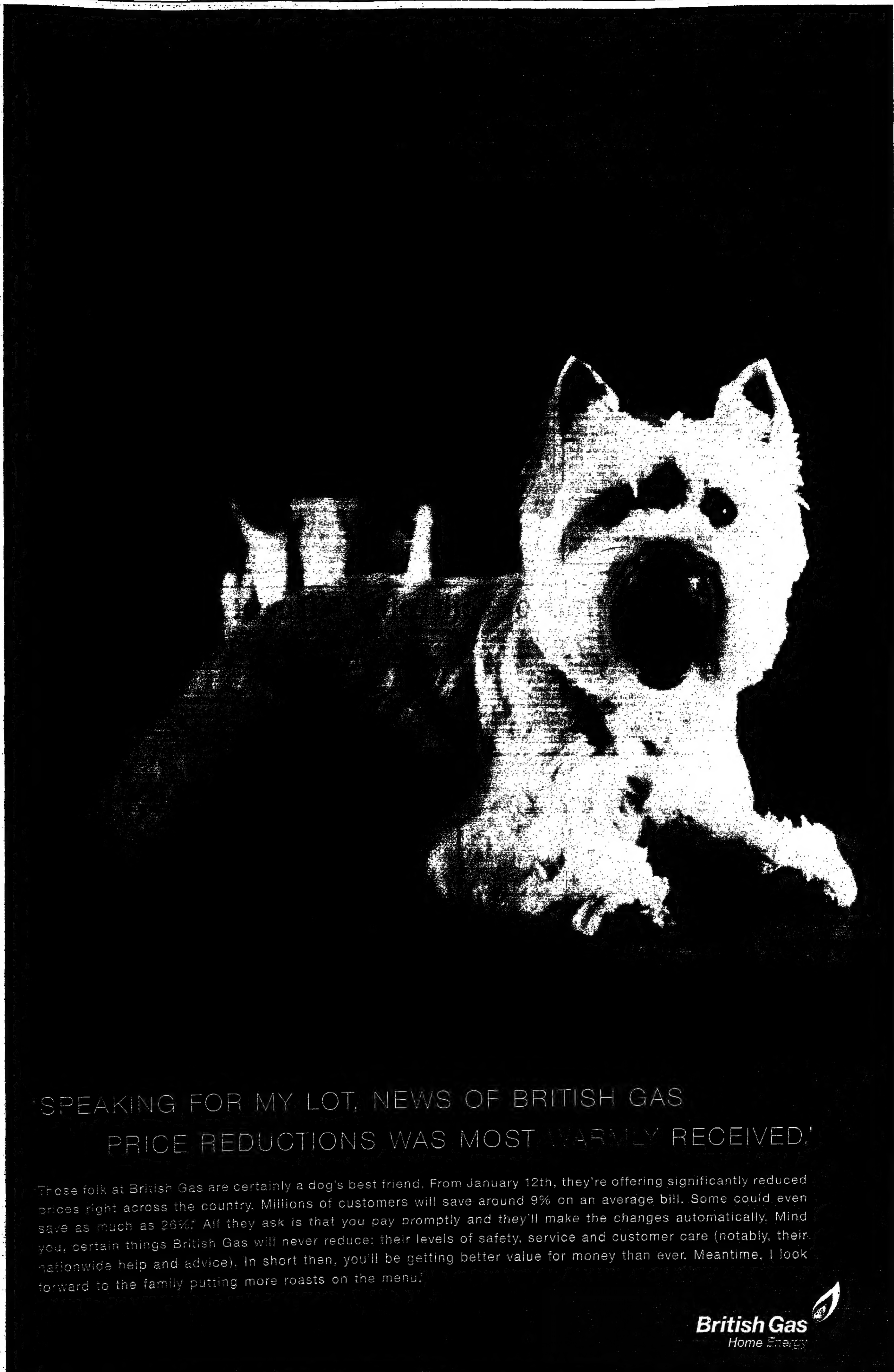
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'SPEAKING FOR MY LOT, NEWS OF BRITISH GAS PRICE REDUCTIONS WAS MOST WARMLY RECEIVED'

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Grief over Diana wiped £250m off high street sales

GRIEF at the death of Diana, Princess of Wales, led to a slump in the retail and housing markets, according to figures published yesterday.

The closure of many shops for at least part of the Saturday on which the funeral was held prompted the largest fall in monthly retail sales since the depth of the recession in 1991. The Office for National Statistics said that sales were about £250 million lower in September than the previous month.

Separate figures produced last week by the British Retail Consortium showed that about £230 million in lost sales could specifically be attributed to the Princess's death. Department stores have been especially hard hit. John Lewis calculated that its sales had dropped by more than 9 per cent in the week of the funeral.

High street fashion stores discovered that consumers were reluctant to shop for clothes for a full week after the death. The Next chain estimated that the funeral cost it about £2 million in lost sales.

Estate agents were hard hit during what is traditionally one of their busiest weeks as people begin to consider moving after the summer holidays. James Rebbeck, of the Royal Institution of Chartered Surveyors, said that two of the biggest house-hunting weekends of the year were greatly disrupted. "People just weren't interested in visiting estate agents. They wanted to stay in and watch the funeral."

The institution, which surveyed 255 estate agencies,

Week of sorrow
left few in a shopping mood, report Alasdair Murray and Emma Wilkins

found that the proportion reporting price rises had fallen to 38 per cent from 48 per cent the previous September.

Cinema attendances were also hit. Although the total audience figure for the whole of September was higher than last year, the weekends of the Princess's death and funeral were quieter than usual.

Virgin, which owns 28 cinemas, reported a 20 per cent drop in attendances during the weekend of the funeral. A spokesman said that the reduction was probably because Virgin cinemas were closed until 3pm as a mark of respect.

Cinema attendances throughout the month were raised by the success of *The Full Monty*, which has so far taken £25 million. Even though it opened on August 30, the day before the Princess died, it grossed £1.6 million in the first two days — a very healthy start, according to industry sources.

The Cinema Exhibitors' Association said that 11,810,688 people visited cinemas this September compared with

7,925,904 in September last year. "Perhaps people just wanted to escape from reality," one cinema executive said. "They might have thought that seeing a film like *The Full Monty* would cheer them up."

Book sales have also been affected, with signs that books about the Princess are inhibiting sales of other titles. Six Diana books are now among the top 40 bestsellers, including Andrew Morton's *Diana: Her True Story in her own Words* at No1 with 41,042 sales last week alone.

"People are definitely buying these Princess Diana books instead of other books," said Kate Gunning, manager of the Waterstone's bookshop in Kensington. "We are getting people coming through the door who have never been in a bookshop before and are asking for the Morton book. We have had no adverse reaction from customers — even though the Princess herself was a regular customer here."

Theme parks also saw attendances drop as people preferred to stay at home and watch the funeral on television. First Leisure, which owns Blackpool attractions such as Sea World and the Blackpool Tower, said the funeral had made a "devastating" impact on visitor numbers.

Not all retailers have suffered. There was some increase in record sales as people rushed to buy Elton John's *Candle in the Wind*.

Business news, page 25



Sergeant Edward Hindley with his Crimea medals, which he left to T.H. Roberts



Lord Cardigan, who led the fateful charge

Light Brigade archive recalls ride of the 600

By JOHN VINCENT

RELICS from the Charge of the Light Brigade, including medals and mementoes from some of the survivors of the disastrous manoeuvre, are to go on sale at Sotheby's next month.

The charge, which happened 143 years ago next Saturday, killed nearly five hundred of the 673 cavalrymen and inspired Tennyson's poem.

The sale will include the war medals of one of the longest surviving Chargers, which surfaced in the archive of the T. H. Roberts Light Brigade Charge Survivors' Relief Fund, set up by T. Harrison Roberts in 1897 and which ran until 1923. The archive is expected to fetch up to £5,000.

It includes Sergeant Edward Hindley's Crimea War Medal, with clasps for Alma, Balaklava, Inkerman and Sebastopol, Turkish Crimea Medal and 1857 Indian Mutiny Medal, as well as a photograph of the old

soldier and an illuminated presentation manuscript given to Mr Roberts by survivors as they watched Queen Victoria's Jubilee procession through London 100 years ago this Saturday.

Sergeant Hindley, who lived his final years in Liverpool, received £200 from the Roberts Fund and was buried at its expense. He lived until 1911.

He had left instructions for his medals to be sent to Mr Roberts as a token of gratitude. The archive is being offered for sale by a descendant of Mr Roberts.

Edward Playfair, medal specialist at Sotheby's, said that the fund had paid out £8,000 to surviving Chargers by December 1911, when it still had 12 years to run. By 1914, there were 14 survivors left and the last died in 1927.

The archive goes on sale at Sotheby's in Billingshurst, West Sussex, on November 30.

Scientists find ring of truth on spilt coffee

By NIGEL HAWKES, SCIENCE EDITOR

AN AMERICAN scientist and five colleagues have worked out why spilt coffee leaves ring-shaped stains. Millions of people must have noticed it happening, but for Sidney Nagel, of the University of Chicago, it became an obsession.

He started worrying over the problem one morning when he saw a dried coffee stain on his kitchen counter. Why weren't the particles of coffee

evenly distributed over the area of the spill after the liquid had evaporated? They were concentrated in a ring.

A long series of experiments later, he believes he has the answer. But first the team had to show that it happened not only with coffee. They dissolved a range of substances in various solvents and dripped them on surfaces made of metal, plastic and glass. They found the phenomenon was universal — it even happens if the drop is upside down on the underside of a surface. In

Nature, they explain why. Tiny roughnesses in all but the most perfect surfaces "pin" the edges of the drop. As the spill dries, liquid has to flow outwards to the edges to replace loss by evaporation. It carries the grains of coffee, so that they end up in a ring.

The team has come up with a mathematical model which predicts exactly how the rings form and how thick they become. There seems no obvious use for the knowledge, though it might be applied to producing

electronic devices, allowing gold particles to form precise lines by evaporating them out of solution.

Scientists at the University of California at San Francisco have discovered what makes chili peppers hot, providing new clues about how humans experience pain. They report in *Nature* that eating peppers and touching a hot iron set off the same process in nerve cells. The finding could lead to new treatments for chronic pain.

Threat of TB increases

NEW strains of drug-resistant tuberculosis are spreading around the world, according to the World Health Organisation (Jan Murray writes).

The report identifies seven areas where the strains, which are airborne, are starting to cause concern: Delhi state in India; the Ivanovo region, Russia; Latvia; Estonia; the Dominican Republic; Argentina; and the Ivory Coast. Many

of these areas are centres of travel, emigration and international economic activity.

In these "hot zones" the disease is often resistant to the most commonly prescribed drugs, isoniazid and rifampicin, and therefore incurable in anyone who cannot obtain the best treatment, which costs £160,000 per patient, a sum beyond the reach of the poor countries where the strains

are emerging. Michael Isenman, of the University of Colorado, said the report provided scientific evidence that "the world again faces the spectre of incurable tuberculosis".

Poorer countries lack people to check that TB patients take standard drugs for six months, to ensure that the TB is effectively killed; if patients do not complete the course, drug-resistant strains can develop.

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Whistleblower doctor v over baby



Often imitated never equalled

Whistleblower doctor weeps over baby death

An anaesthetist says his warnings over surgeons' mortality rates were ignored, writes Kathryn Knight

A DOCTOR broke down yesterday when he said that he pleaded with colleagues not to operate on a baby the next day because too many of their patients were dying. The boy died during heart surgery.

Stephen Bolsin, 44, told the General Medical Council that his appeal was the culmination of years of anxiety. He said that he had been forced to turn whistleblower on senior colleagues because of his suspicions that babies undergoing heart surgery at Bristol Royal Infirmary were dying at twice the national rate.

His protests were constantly ignored, he said, and he was told by a surgeon involved, James Wisheart, that making such allegations was not good for his career.

Mr Wisheart, 59, medical director, and Janardan Dhasmana, 57, consultant surgeon, are accused of serious professional misconduct by continuing to perform cardiac surgery on babies even though they knew that the mortality rates were well above average.

John Roylance, 67, chief executive of Bristol Health Care Trust, also denies serious professional misconduct and is charged with failing to use his authority to stop the operations.

The council has been told that the doctors and Mr Roylance worked at the hospital from 1988 to 1995, when 29 of the children the surgeons operated on died and four were left brain-damaged.

Dr Bolsin, an anaesthetist at the infirmary since 1988, said he had become aware of a problem in the cardiac depart-

ment by the summer of 1990. "I believed there was a problem. I believed children were dying unnecessarily and I wanted to find out if my suspicions were correct," he said. "We were not talking about the length of a scar or two extra days in hospital, we were talking about babies dying and I wanted to see the end of it as a parent."

He wrote to Mr Roylance and the district health authority, but received a "relatively dismissive" telephone call from Mr Roylance the next day, telling him that his concerns were not going to make any difference to the hospital's application for trust status.

Mr Wisheart, he said, had called him into his office and remonstrated with him. "The impression I got was that he was very angry the letter had gone outside the cardiac unit. He told me it must not happen in future and if my career in Bristol was to be maintained, then this sort of thing was not to happen again. It was a salutary lesson."

His senior anaesthetist had told him to "keep his head down". Dr Bolsin was told by Andrew Kennedy, representing Mr Wisheart, that the consultant had no recollection of calling Dr Bolsin to a meeting about the letter. Dr Bolsin replied: "It did happen. It had a big effect on my career in Bristol... the letter had obviously annoyed Mr Wisheart and he was making it clear to me he didn't expect this to happen again."

Dr Bolsin told the council that his concerns had peaked by January 1995 on realising that an arterial switch operation, a complex procedure which was a particular cause of concern, was to be performed on 18-month-old Joshua Loveday. "I was deeply concerned for the safety of the child. I believed [he] would be exposed to an excessive and unnecessary risk of dying."

His voice breaking with emotion, he said that he had asked at a meeting with senior colleagues, including Mr Wisheart, for the operation to be postponed. He wept as he said: "What I remember about that meeting is that I was primarily concerned about the safety of the child." Shortly after the operation, Dr Bolsin reduced his duties in the cardiac theatre and in 1996 left to work in Australia.

Earlier, a mother told the

hearing that she had agreed to open heart surgery on her daughter after Mr Wisheart assured her that there was a 75 per cent success rate. Helen Rickard, 30, from Bristol, said Samantha, aged 11 months, had died during the operation in 1992. Only two years later did she learn from a television programme that Samantha had been one of six babies to die in one year at the infirmary after open heart surgery.

Ms Rickard, whose partner, Andy, committed suicide shortly before the second anniversary of Samantha's death, said that she had been drawn to Mr Wisheart's charisma and his assertion of the infirmary's success rate.

The hearing continues.



Dr Bolsin yesterday: he told the General Medical Council his career was threatened

McQueen shares top prize with Galliano

BY GRACE BRADBERRY

ALEXANDER MCQUEEN and John Galliano, the rival kings of British fashion, shared the British Designer of the Year Award last night.

Galliano, 37, now chief designer at Christian Dior, also designs his own-label collection in Paris. McQueen, 28, commutes between London, where his own label is based, and Paris, where he designs for Givenchy.

Others receiving awards at the Albert Hall last night included Antonio Berardi, 27, the best New Generation designer, and Pearce Florida - Reynold Pearce and Andrew Florida - who won the Glamour award. Nicole Farhi won the Contemporary Collections category, while Red or Dead, the company created by Wayne Hemingway, took the award for Street Style.

An award given for the first time for menswear went to Paul Smith, the Nottingham-based designer, who was appointed to the Government's National Heritage "task force" earlier this year.

Saturday in THE TIMES



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Elton John on why he loves his garden

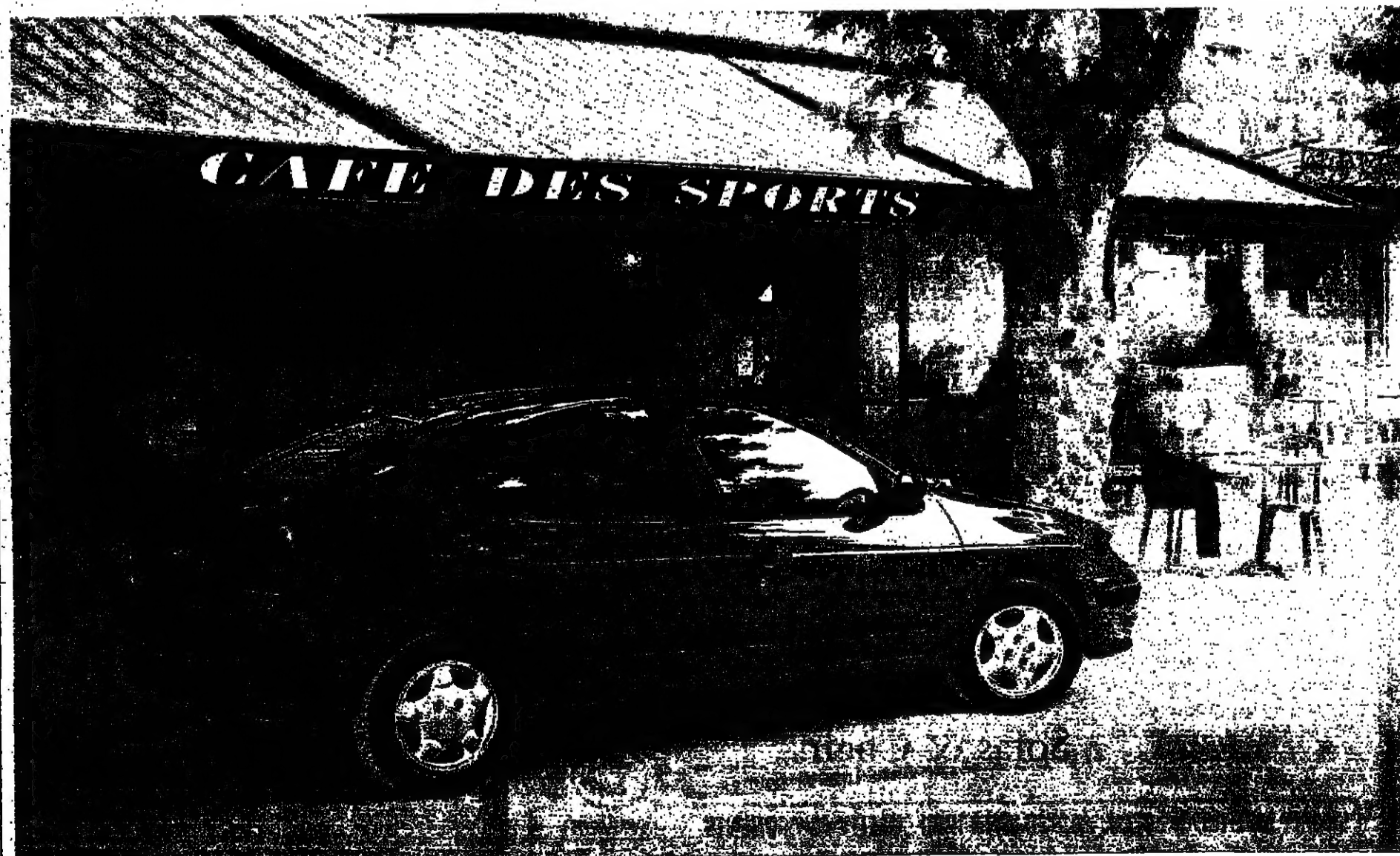
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Samantha Rickard: one of six deaths in a year

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Head teacher says school's food is inedible

By Emma Wilkins

A HEAD teacher has told parents that their children are going home hungry because their school meals consist of small portions of "unpalatable and indigestible" food.

John Parsons believes that pupils at his Christ Church primary school in Folkestone are poorly served by a healthy eating initiative under which they are offered boney fish, beetroot and raw cabbage.

In a letter to parents, many of whom pay £1.10 a day for school meals, Mr Parsons said: "I feel I have a duty to inform you that in my opinion you are not getting value for money. Lack of supplies and quality of ingredients has resulted in the situation where too often your child has received less than the required quantity of food and often food which has been unpalatable and indigestible."

"I cannot therefore recommend the present school meal to you as a substantial meal and as such you should not rely upon this midday meal to meet your child's daily needs."

Mr Parsons told parents that he had been scrutinising the meals since the appointment six weeks ago of a firm called Chartwells State Schools, as the new contractor for Kent County Council's 610 primary schools.

Yesterday the 59-year-old head, who describes himself as "an experienced and adventurous consumer of food", added: "Kent County Council

THE MENU

A sample menu with three choices of main course:

Vegetable nuggets and tomato ketchup, hot dog salad, or savoury minced lamb and Yorkshire pudding. All main courses are accompanied by broccoli, sliced carrots and parsley potatoes.

Puddings: apple and apricot crumble with custard, or chocolate mousse. Fresh fruit is always an alternative.

had required a greater variety of food, reflecting a healthy eating content, and slightly larger quantities. But from the start there were horrendous supply problems.

"Janet Wilson, our very experienced school cook, was hard pressed to cook the meals according to the contractors' specifications. She has tried valiantly, but sometimes there were not enough ingredients."

Mr Parsons says he is surprised by the unusual food combinations specified by Chartwells. "They are being served things like broccoli and beetroot, which makes the broccoli spears bright pink. The fish has been very boney and meals are served with raw cabbage."

"They supplied ready-peeled potatoes which, however hard Janet Wilson tried,

she just couldn't mash properly. She's gone back to ordinary potatoes now."

"The children just don't like the new food. We used to reckon on having half a bucket of leftovers after meals, but now it is one, two or even two and a half bucketfuls."

Parents are supporting Mr Parsons. Heidi Wilkinson, 29, whose seven-year-old son, Andrew, is a pupil, said: "Andrew always had enough to eat before this new stuff was introduced but now he never stops eating in the evenings."

A spokesman for Kent County Council said that none of the other 609 schools had complained. He pointed out that Mr Parsons had tried but failed to win the catering contract on behalf of the school.

A spokesman for Chartwells said: "The children were being served a lot of hamburger and chips before. Our aim is to introduce a more balanced and nutritional meal so that in 20 years' time we will see the benefits from a general health point of view."

Mr Parsons, a teacher for 35 years, said that he did not advocate a "chips with everything" approach but would not eat the new school food himself. "There is a very serious point in all this. For many of our children the midday meal is their main food of the day. The purpose of my letter was to warn parents that they should supplement their children's diets in the evenings."



Food for thought: Coral Kerr, 6, with her lunch at Christ Church School, Folkestone

IRA unit kept Semtex in rented locker, court hears

By Tim Jones

AN IRA active service unit plotting a bombing campaign in London stored blocks of lethal high-explosive Semtex within 100 yards of Chelsea Football Club, the Old Bailey heard yesterday.

But police, who had arrested the four-man gang almost a year earlier, had no knowledge of the hidden Semtex until the owners of the private storage locker broke into it because they had not been paid. Inside, said David Waters, for the prosecution, police discovered the Semtex with which the Provisional IRA team had hoped to prime tons of home-made explosives found on the premises of another storage company.

They also discovered 12 timing power units for detonating bombs, seven boxes of 762 ammunition, and loose bullets for use in the Kalashnikov rifles with which the gang had armed themselves.

The men who had booked the locker, Mr Waters said, turned out to be Diarmuid O'Neill, 27, a gang member who had been shot dead by police as they tried to arrest him and his four accomplices in September 1996.

It was, Mr Waters said, one of two arms caches discovered by police after the men had been arrested and their main bomb factory, on an industrial estate in Hornsey, North London, had been cleared of bombs, guns, detonators, and timing devices. That site had also been rented by O'Neill, he said.

In November, he said, six weeks after the men had been arrested, three masked men raided another self-storage unit in Shepherd's Bush, West London, and confronted the manager, Michael Weaver, as he prepared to go home.

Mr Waters said they demanded access to a locker held in the name of Murphy, one of the defendants in the case. Mr Waters said: "They subjected him to considerable violence and threats, and then pro-

duced bolt cutters and began cutting the locks off the units."

Patrick Kelly, 31; Brian McHugh, 31; James Murphy, 26, from Chelsea, and Michael Phillips, 22, from Crawley, Sussex, all deny conspiring to cause explosions likely to endanger life or property.

On the door of one of the lockers, which had been emptied, Mr Waters said police found Mr Murphy's fingerprints. In another locker, which Mr Murphy had rented three years earlier using the name Dawson, they found traces of explosives and an ammunition box. Nearby they found a photograph of him.

They later discovered that O'Neill and Mr Murphy both had keys to the padlocks, which fitted the units. Mr Waters said that after the arrests, police raided the home of Mr Phillips, and discovered a "ready-to-go bag" to be used by the gang on their bombing mission. It contained screwdrivers, spanners, gloves, and Elastoplast to prevent them being traced through their blood if they cut themselves.

Mr Waters said police found traces of explosives in the hotel room rented by Mr McHugh and Mr Kelly. In Mr McHugh's wardrobe, he said, they found latex gloves, two white protective suits, overalls and an inspection light. The protective suits, he said, had been supplied by Mr Phillips, who worked as a British Airways engineer at Gatwick, and were to be used to minimise the risk of any of them being traced after planting the bombs.

The case continues.

Bread and beans rescue starving students

By Shirley English

EMERGENCY food parcels of baked beans and bread have been issued to hungry Scottish students left penniless by a delay in the arrival of their maintenance grants.

About 1,000 students, or 80 per cent of the full-time intake, at the Central College of Commerce in Glasgow were given "refugee-style food supplies" yesterday to relieve what the Students Association describes as a "severe hardship" crisis. They are

among 23,500 students across Scotland who have been waiting since August for their grant cheques from the Government's Student Awards Agency.

Student leaders at Central College said they decided to take action after learning that six young people had been left homeless because they were unable to pay their rent. Others had been forced to beg for food at the nightly soup kitchen at George Square in the city centre.

At midday, stalls were set up at the

college to distribute 600 tins of beans bought by the Students Association, together with 1,000 loaves of bread, cans of soft drinks and razors, all donated by the makers. Until the situation is resolved, students will be given a weekly supply of two tins of beans, two loaves of bread, two cans of fruit juice, razors, shampoo and washing powder.

Euan McLeod, president of the Students Association and a member of the executive of NUS Scotland, said: "The situation with the grants is

totally unacceptable and utterly ridiculous. The blame lies squarely with the Student Awards Agency. It is unacceptable for students to be penniless at the end of October after starting their courses in late August."

Yesterday the Scottish Office said that the installation of a new computer system had held up maintenance grants and tuition fees this year. However, as of yesterday, about 73,500 of the 97,000 full-time students in Scotland had received their money. Brian Wilson, Education

Minister at the Scottish Office, pointed out that the Government had advanced £27.5 million worth of tuition fees to institutions in an attempt to tackle the problem, but Central College had not yet applied.

Peter Duncan, the Principal, said that the college had made inquiries about the advance in tuition fees and had been told there was no new money. He said that releasing tuition fees in advance was "irrelevant" to the practical hardship experienced by students.

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Schools may be forced to teach disturbed pupils

By DAVID CHARTER, EDUCATION CORRESPONDENT

PARENTS of disabled and disturbed children would win the right to demand a mainstream school place under government plans to cut the numbers in special schools.

David Blunkett, the Education Secretary, yesterday launched a Green Paper aimed at offering normal school life to as many of the

98,000 youngsters in special schools as possible. These children have been thought too difficult to teach in ordinary schools because of physical or behavioural problems, including autism, blindness and dyslexia.

The Government's range of options for bringing them back into the classroom in-

cludes extra money to train teachers to cope with their demands. It also wants to reduce by a third the 233,000 children with a Statement of Special Needs, the legally binding document which details the help a school should give these children.

The Green Paper adds: "We could change the law so that local education authorities would have to secure a mainstream school placement for such pupils where this accorded with parent wishes."

The plans were called a "recipe for disaster" by one of the largest teaching unions. Nigel de Gruchy, general secretary of the National Association of Schoolmasters and Union of Women Teachers said: "We simply have to be realistic and recognise that there are some children who simply cannot be dealt with in mainstream classes. To expect teachers to teach them and the



A signer translates as David Blunkett launches his Green Paper on special education. A teachers' leader attacked it as a recipe for disaster

other children in the class and meet the Government's targets to raise standards is living in cloud-cuckoo land."

Mr de Gruchy warned that, as in other high-profile cases last year, teachers would strike rather than teach uncontrollable children. Disruptive pupils accounted for many early retirements and put graduates off entering the profession, he said. "It is totally unreasonable to expect teachers to perform miracles

and solve all our deep-seated social problems."

Mr Blunkett said he did not want the Green Paper, *Excellence for all Children*, to be "hijacked" by the issue of disruptive pupils. There was a "forgotten army" of 1.5 million children who needed a degree of special needs at some stage of their school career, he said, "many of whom would be able to flourish perfectly independently if the support was provided at the right time and

in the right way". He conceded that special schools would always be required for children with severe problems, but he wanted these schools to work more closely with mainstream ones so that the youngsters could readily return to the classroom and specialist teachers could advise all schools.

"There is no question of children remaining in a classroom where they are causing disruption to the lives and

well-being of others," he added. Mr Blunkett said the system of issuing Statements of Special Needs was bureaucratic and wasteful. The number has risen sharply from 153,000 to 233,000 since 1991, and there are 2,000 cases before Special Needs tribunals as parents challenge education authority decisions.

The long-term aim of the Green Paper was to enable teachers to identify problems much earlier and give chil-

ren the help they needed to stay in mainstream schools, he said.

His aim of cutting the number of Statements of Special Needs from 3 per cent of all children to 2 per cent was attacked, however, by Kate Simmons of the Independent Panel for Special Education Advice.

"They need rights and guaranteed provision, which only the force of law will give them," she said.

BLUNKETT'S UNHAPPY EXPERIENCE

David Blunkett's experience of a special school education did not endear him to the idea of segregation for disabled children. Mr Blunkett hated his time at schools for the blind. His experience of Special Educational Needs developed further when he fought for specialist teaching for two of his three boys, who are dyslexic.

In law, a child has Special Educational Needs if they have a learning difficulty — a significantly greater difficulty in learning than most children the same age — or a disability which makes it difficult to use the local educational facilities.

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OFT to round up cowboys in used car yard

By MICHAEL HORNELL

A MOVE to sweep the sharks from secondhand car forecourts was launched yesterday by John Bridgeman, Director General of Fair Trading.

In a damning report on rogue dealers, he said: "The extent of the problems is appalling. Action must be taken significantly to reduce the risk in buying a used car."

He urged reform of the 1973 Fair Trading Act to clean up the market, which tops the league of consumer complaints.

Mr Bridgeman said that up to 28,000 cars written off after accidents went back on the roads every year, endangering not only the new owners but other road users. The Office of Fair Trading (OFT), which issued a checklist for buyers, reported that:

□ about eight million used cars are sold each year and one buyer in six has a problem within six months
□ "clockers", who turn back mileage readings, cost consumers £100 million a year
□ many of the estimated 500,000 cars stolen every year are bought by unsuspecting consumers who may be forced to surrender them without compensation
□ one in seven cars on sale

that were checked by a database company had finance or hire purchase outstanding.

A clean-up of rogue dealers requires new powers for the courts to impose fines or to ban dealers from trading. The report recommends reform of part III of the Fair Trading Act, which it describes as slow, complex and often ineffective, to give buyers more protection.

Other recommendations included stronger controls on "clocking", better forecourt inspection powers for trading standards officers, mandatory mileage notification to the DVLA, and the availability of open information to motor database compilers.

The Royal Motor Industry Federation welcomed the OFT's findings. Christopher McGowan, chief executive, said: "We are keen to introduce a system of self-regulation which will force the bad practitioners out of our industry once and for all."

The report, *Selling Second-hand Cars*, and checklist, *Buying a Used Car*, are available free from the OFT, PO Box 172, East Molesley, KT8 0XW.

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French policy shift leaves old African allies out in cold

FROM SAM KILEY IN BRAZZAVILLE

CONGOLESE officials waiting to greet their former colonial masters shifted from foot-to-foot like junior servants in a Victorian parade of domestics as a French military corps arrived here this week.

They were part of a welcoming party for the 38 French medical staff but had clearly heard little of the shift in France's Africa policy which has moved from unilateral support for Paris's client states to international co-operation.

Raymond Césaire, the French Ambassador to what is left of Brazzaville, stood in the wreck of the arrival hall of Maya Maya airport. He welcomed the soldiers "as part of an international mission, and in the name of France".

The patriotic words in his speech were all that remained of 30 years of French policy in Africa, in which former colonies were run by seconded civil servants and propped up by military intervention.

Smearing from its failure to keep the late President Mobutu in power in the former Zaire, and from international condemnation for supplying weapons to the Hutu regime in Rwanda before, during, and after the 1994 genocide of Tutsis and Hutu moderates, Hubert Védrine, the French Foreign Minister, has been travelling the continent in search of friends among Les Anglophones. This would have snatched of treason under previous governments, to whom preserving French influence on the continent was a sacred mission.

In Cape Town recently, M Védrine explained the new gentle approach to Africa: France will work within international structures such as the United Nations and the Organisation of African Unity. The days of sending Foreign Legionnaires to put out African political upheavals were over. Congo's factions were left to battle it out without interference.

The reality of the new order was evident in Brazzaville: the Congolese officials at the welcoming ceremony were taken aback to see fresh-faced medical officers, female nurses and smiling commanders standing on the airport tarmac rather than rugged commandos. The doctors, nurses and other staff for a field hospital are serving soldiers, but come from the civil security unit of the army; their job is to serve civilians and not to put down coups or break up civil wars.

The shift in Paris's policy, which in the past has meant

ignoring English-speaking powerhouses like Nigeria, Kenya and South Africa while being obsessed with Burkina Faso and Togo, may take some explaining to the Congolese.

Paul Eticault, a French-trained civil servant turned rebel commander, is pleased with the outcome of the civil war in Congo-Brazzaville, which has been won by General Denis Sassou-Nguesso and his Angolan allies. But he remained bemused as to why Paris did not send troops to defend its former colony and substantial oil interests held by Elf Aquitaine. Shaking his head in dismay at the destruction of central Brazzaville, he asked: "The French have always been our mentors. Why didn't they come to our aid?"

France might have cultivated a more mature Africa policy, but it is clear here that it will take time before its former colonial possessions stop looking to it for help.



Boesak: accused of living "high life"

'Boesak spent Paul Simon money'

Johannesburg: Allan Boesak, the fallen African National Congress hero, has been accused by his former bookkeeper of squandering money donated by the American singer Paul Simon and others for black victims of apartheid to fund a high life of luxury cars, expensive clothes and the best restaurants (Inigo Gilmore writes).

Freddie Steenkamp, former bookkeeper for the now defunct Foundation for Peace and Justice, told the Cape



Paul Simon with the vocal group Ladysmith Black Mambazo during his 1987 "Graceland" tour of Zimbabwe

High Court that he had followed Dr Boesak's example in spending lavishly on cars, clothes and travelling first class. Steenkamp, who has been found guilty on fraud and theft charges totalling more than 900,000 rands (£125,000), gave evidence that he had been tutored by the man he referred to as his "idol" in how to appreciate fine wines and dine in the most expensive restaurants.

The claims were part of a confession Steenkamp is said

to have made about his role in the misappropriation of more than 2 million rands in funds donated by Mr Simon, the Coca-Cola Foundation and Scandinavian aid agencies to help South Africa's most needy. He told the court that he would be willing to give evidence for the prosecution in Dr Boesak's trial, which begins in February.

The trial of one of the anti-apartheid struggle's most charismatic figures threatens to heap embarrassment on

the ruling party. After the allegations first surfaced three years ago, an ANC internal investigation cleared Dr Boesak of any wrongdoing and it was only because the Scandinavian churches continued to put pressure on the South African authorities that the matter was taken up by the Office for Serious Economic Offences, whose investigations led to the prosecution of both men.

When Dr Boesak returned to South Africa from the

United States this year, Dullah Omar, the Justice Minister, was widely criticised for meeting him at the airport and expressing his support. Dr Boesak decided not to take up his appointment as Ambassador-designate to the United Nations in Geneva, when accusations that he had embezzled 1.1 million rands surfaced three years ago. He has always maintained his innocence. Steenkamp is expected to be sentenced today.



Mobutu: Paris failed to keep him in power

Islanders backed in citizenship battle

BY MICHAEL BINYON, DIPLOMATIC EDITOR

A BILL to restore full British citizenship to the 4,000 impoverished inhabitants of St Helena, Britain's loneliest colony, will today receive a second reading in the Lords.

It will increase the pressure on the Government to scrap Conservative legislation that bars dependent territory citizens from coming to Britain.

St Helena, a speck without an airstrip in the South Atlantic, was dealt a severe blow by the 1981 Nationality Act which prevented its people taking temporary jobs in Britain, one of the few sources of income for the population. It has a high unemployment rate and has been trying to attract new investment, but still needs an enormous British subsidy to

balance the budget. Lord Ivisagh, a cross-bencher, said he had clear support from the Government and also from the Conservatives. His Bill is modelled on the special measure rushed through Parliament by the Thatcher Government in 1983 which restored citizenship to the Falkland Islanders. Of the 11 British dependent territories, only the 30,000 inhabitants of Gibraltar are also full British citizens.

The Saints, as St Helena's inhabitants are called, have long denounced the 1981 Act as a breach of a promise made by Charles II in 1673 that they and their descendants should enjoy all the "liberties and franchises" of the realm.

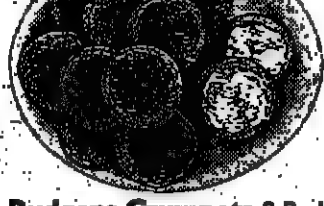


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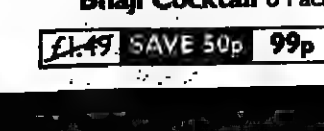
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Algerian terror victims plead for death by bullet

THE survivors of a recent massacre in Sidi Rais recall hearing victims pleading with their killers moments before death, asking not that their lives be spared, but to be killed by a bullet.

"I could hear a young woman begging to be shot in the courtyard below my house," said a young man who only survived because he was cut off from the attackers by flames on the roof terrace of his home. "She began screaming but the noise suddenly stopped. Yet, there was no sound of a shot."

Like many others who died in the killing spree south of Algiers last month, her throat was cut.

Algerians go to the polls today to vote on the composition of municipal authorities. It is the third and final stage of the state's self-styled passage to "democracy", initiated in 1995 when President Zeroual, a retired general, swept to power in presidential elections.

The veneer of democracy is but a thin one in Algeria's latest political charade, and rather than elections it is more the slashed throats and severed heads of the victims of the war that have become an international symbol of the country's painful political contortions.

One of the most sinister aspects of the killings in Sidi Rais is that among the killers were youths from the village well known to their victims. "About 30 young men from here disappeared last year when the army started making its presence known more often. They fled to the mountains to join the terrorists," said Omar, a survivor. "These same young men returned with others to do the killings. In some cases even their family members were slaughtered."

To understand Algeria's war one has to know of a nation traumatised by its war of independence against the French. That conflict ended in 1962 after hundreds of thousands of deaths. For the next three decades the National Liberation Front governed the country as the sole ruling party, destroying the education system set up by the French and substituting for it an inept Algerian alternative. It was a despotic state in which

Severed heads and mutilation have become a symbol of political conflict.

Anthony Loyd writes in Algiers

political corruption flourished as urban slums mushroomed. Into this vacuum in the 1970s came the teachings and influence of Egypt's Muslim Brotherhood, a fundamentalist Islamic group born in Cairo in the 1920s. Their teachings found fertile ground in the universities here where students, even the children of the bourgeoisie, were disaffected by the stagnation and depression of the state and sought some alternative," said a professor from Ben-Akroun University in Algiers. "In 1980, in our university, we had what many believe to be the first killing of the current war, when Kemal Amzal, a democratic student, was stabbed by Islamists. Radicalisation fol-



Zeroual: launched state on path to democracy

lowed like a virus into the new education system, with many of the teachers preaching a form of rabid Islam to their pupils."

Throughout the 1980s, extremist strains of Islam took root. A pluralist constitution in 1989 gave authorisation to a variety of Islamic political parties that had operated underground; that year they grouped themselves as the Islamic Salvation Front, the FIS.

In the run-up to the 1991 elections the FIS promoted itself as the architect of political change linked to democracy and a form of diluted Islamic government. The first of two voting rounds at the end of the year suggested that the FIS would win with a landslide majority.

Millions of young Algerians gave them their vote, more as a symbol of dissatisfaction with the oppressive incumbent government than out of any desire to live in an Islamic state.

But the army cancelled the second round amid a wave of panic as FIS leaders revealed their intent to reshape society along religious lines. The FIS was dissolved and many leaders imprisoned, and the political turbulence that followed was overshadowed by attacks by the FIS military wing, the Islamic Salvation Army.

The Government's crackdown drove more recruits to the extremists as factions emerged. Atrocities were still rare, however, until the end of 1993 when a splinter group of the FIS formed the Armed Islamic Group, the GIA.

The GIA is the youngest terror group in Algeria. Its leader, the elusive Antar Zouabri, is in his 20s. Largely, but not exclusively, drawing teenage recruits from poor elements of Algerian society, the group subjects trainees to extreme indoctrination in underground *madrasas* (religious schools).

"Their logic is perverted to the point where killing is not a crime," said an army officer, who is a veteran of operations against the GIA. "We are talking about very young men who have had nothing in their lives but hardship and poverty, then suddenly they are offered warmth and hospitality by



An Algerian boy demonstrating in the capital with a poster depicting his missing brother

GIA teachers. Slowly, they are steeped in a new religious doctrine. Psychologically, their interpretation of God becomes an absolute in their lives. They are told to kill those who are not 'with them' in their beliefs and absolve themselves from responsibility because they believe it is not even their will to kill, but the will of God. We have taken prisoners who genuinely

believe that in killing a child they become closer to God by saving their victim's soul. It is a travesty of Islamic faith but they are beyond all reason," the officer said. "The GIA," he said, "knows that the cruelest their actions the more impact they have on Algerian society and the international community. Beheading and mutilation of women and children seem

atrocious, they are atrocious, but it is no more than a predictable evolution of violence in Algeria, seeded in our war with the French. "Militarily we can contain the situation but we are not in a position to crush it. You cannot fight an idea with the army alone." And, unfortunately, the political stalemate will allow little to change."

Chemical weapons 'tested in Sahara'

FROM BEN MACINTYRE IN PARIS

FRENCH military scientists continued to test chemical and bacterial weapons in Algeria for 16 years after the former colony gained independence, according to evidence obtained by a French magazine.

President de Gaulle ordered the continuation of the experiments at a northern Sahara base codenamed "B2 Namous" under a top-secret clause in the independence agreement signed with the Algerian Government in 1962. *Le Nouvel Observateur* says.

Pierre Messmer, De Gaulle's Minister for the Armed Forces, has admitted that the 30-square-mile base, 70 miles from the Moroccan border, remained in use. In 1967, France signed another confidential agreement with Houari Boumedienne, then Algeria's President, which let French scientists continue work on chemical weapons.

Hundreds of French military officials worked at the base, posing as civilian employees of a subsidiary of the French company Thomson, the magazine says.

The weapons-testing centre, opened in 1935, was not closed until 1978.

An inquiry order: France ordered an official inquiry into the October 1961 killing of Algerian protesters in Paris after Liberation, the French daily newspaper, published records yesterday which, it said, proved that far more died than has been admitted.

Historians say between 200 and 300 people were killed by police, with many bodies thrown into the Seine. The massacre returned to the limelight this month during the trial of Maurice Papon, the Second World War collaborator who was Paris police chief in 1961.

The Bordeaux trial of the former minister, now 67, was suspended yesterday when he became ill. M Papon has denied ordering the arrest of 1,500 Jews during the Nazi occupation years. (Reuters)

Mandela embrace lifts Libya out of isolation

BY MICHAEL BINYON, DIPLOMATIC EDITOR

AMID tumultuous rejoicing in Tripoli, President Mandela yesterday embraced Colonel Gaddafi, the Libyan leader, after driving 100 miles across desert for a visit Libya is hailing as a breakthrough in its international isolation.

The South African leader, 79, was driven in a 50-vehicle motorcade to the ruins of a former Gaddafi residence hit by US bombers in 1986. Under welcoming banners, and with the streets festooned with South African flags, he was received at the Aziza barracks, where Colonel Gaddafi now lives, for talks to try to end the international standoff over Libya's refusal to surrender two men accused of the 1988 Lockerbie

bombing for trial in Scotland or America. Tomorrow Mr Mandela is due at the Commonwealth summit in Scotland, where feeling still runs high over the Pan Am plane bombing that claimed 270 lives.

He was greeted with a hug and a kiss on each cheek by Colonel Gaddafi, and replied: "My brother leader, my brother leader. How nice to see you." His visit is a political coup for the colonel, and the most important since sanctions were imposed in 1992.

South Africa's Ambassador to Libya and Tunisia said it was to thank the people of Libya for standing by South Africa during the years of struggle against apartheid.

Mr Mandela twice visited Tripoli after his release from jail in 1990 before he became President.

The move has appalled Britain and America. Yesterday the State Department said: "To give the Libyans any solace would be unfortunate." British criticism has been muted so as not to offend Mr Mandela before he arrives in Edinburgh.

The International Court of Justice in The Hague yesterday wound up its Lockerbie hearings without an agreement between Britain, America and Libya as to where the suspects should stand trial, and who should decide.

Magnus Linklater, page 20

Shake-up demand for Belgian justice

FROM REUTERS IN BRUSSELS

BELGIUM'S criminal justice system is inefficient and in need of a thorough shake-up, according to a report yesterday by a parliamentary committee investigating a series of 1980s murders.

The daylight shootings of a total of 28 people in the Francophone south of the country in the 1980s have never been solved, although various theories have attributed them to the police or to a right-wing plot to destabilise the state.

The report proposed creating a federal public prosecutor's office, with national magistrates to run investigations that cross the boundaries of the 26 regional prosecutors, and said that failures by police to pass evidence to investigat-

ing magistrates should be severely punished. It found "no evidence of a right-wing plot or of police involvement."

In April, a committee investigating a series of child rapes and murders revealed bungling, incompetence and rivalry among police and magistrates.

More remains: Belgian authorities said they had found more human bones in one of three houses owned by Andras Pandy, 70, a Hungarian-born Protestant minister being held on suspicion of murdering six members of his family. Hungarian police were searching a property owned by Mr Pandy in Dunakeszi, near Budapest, looking for any evidence that he may have killed there.

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Rights protests loom ahead of Jiang's US visit

TO PREPARE for his arrival on Sunday in the United States, the first visit by a Chinese leader for 18 years, President Jiang Zemin is said to be pouring over dossiers on the American work ethic, pioneer spirit and innovative instincts.

He has been briefed not to react sharply to intrusive questions by the American press. The Washington Post has devoted lengthy speculation to the colour of hair dye he will choose. In an attempt to "act American", Mr Jiang is also apparently thinking of singing or playing the piano on at least one evening during the packed week.

Beijing and Washington have spent the past few days competing to seem the friendlier. Both say they want the trip to blow away the frost which descended after the 1989 Tiananmen Square killings. President Clinton and Mr Jiang, who meet formally next Wednesday, plan to announce a batch of new curbs on arms sales and nuclear proliferation.

For all the bonhomie ahead of the visit, the week will be dogged by the "terrible Ts", as one American official calls them — Tiananmen, Tibet and Taiwan. Activists, from Richard Gere to Harvard University students, have planned their protests against human rights abuses, while within Congress, the religious Right and liberals have allied against Chinese oppression.

Mr Clinton, who has la-



AMERICAN AGENDA
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voured more trade with China throughout his presidency, will continue to come under fire from these quarters. He is also concerned not to give ammunition to Republicans pursuing allegations of murky fund-raising practices, who will seize on any sign that he is too cosy with his guests.

However the danger now is that the accusations that he is "too soft" on Chinese human rights abuses are so simplifying the debate about how America should deal with China that the most important issues are buried.

The issues Mr Clinton should focus on are China's claims to Taiwan, and the risk that if it enters the World Trade Organisation, it will distort that valuable body beyond recognition.

Judging by this week's positioning, next week will see little progress on the human rights question. On Tuesday, the State Department repeat-

ed its position that the relationship could not reach its "full potential" while abuses continued, adding: "We have long made clear to the Chinese Government that the unjustified imprisonment of political dissidents is a major problem in our relationship". Yesterday, the Chinese Embassy in Washington issued a headline statement saying that Tiananmen would not be discussed, that Tibet was an internal matter, and that dissidents were being treated in accordance with Chinese law.

Of the "terrible Ts", Taiwan is the one which threatens to present Washington with the greatest problems. Since the July 1 Hong Kong handover, America has ducked direct comment on China's claim to Taiwan.

The past last month to strengthen American-Japanese military links gave some sign that America is willing to irritate China to assert its presence in the region. Although Mr Clinton may choose to avoid the question of Taiwan this week, he will not be able to do so for ever.

On the economic front, again, Congress has tended to simplify the choices: America trades with China, or it does not. In fact, as Mr Clinton has recognised, America already trades extensively with China, and its companies want that trade to grow. The more troublesome question is exactly how America chooses to trade with China.

China's hint last week that it



Actress Bai Ling at the New York premiere of *Red Corner*, which co-stars Richard Gere, a champion of the Dalai Lama, the exiled Tibetan leader. The film is about an American lawyer facing trumped-up murder charges in China

might trim some of its highest tariffs to win entry to the WTO won praise from some members, who claimed it marked a radical shift of mood. But China's remarks fell far short of a pledge to work by the WTO's rules, without de-

manding years of special concessions. Those could undermine the framework of the WTO, which has made one of the most valuable contributions towards international trade for decades. Those who clamour for Mr Clinton to be

"tough on China" would do better to be precise and demand that he is tough on China's claims to Taiwan, and on the terms on which it enters the WTO. Otherwise, these crucial issues risk being lost in the trivial or intractable.

America starts a shooting war with Russia

FROM RICHARD BESTON IN MOSCOW

AFTER decades of being cast as the baddies in Cold War spy films, Russians are increasingly disturbed by a trend in Hollywood to depict them again as the global villains of the screen.

Despite Russia having introduced democratic reforms, dismantled its empire and disbanded the KGB, script writers and film directors seem keener still to see American heroes battle Russian foes.

The trend has brought calls for retaliation, with some even suggesting, jokingly, the need for the country's directors to hit back with anti-American films.

Over the past three years several films, including three blockbusters this year, have shown evil Russians plot in *Golden Eye* to destroy the City with a secret attack satellite, hijack the American President's aircraft in *Air Force One*, and destroy New York with a portable nuclear bomb in *Peacemaker*.

The plots pit America's best, including Harrison Ford and George Clooney, against an evil alliance of the Russian mafia and ultra-nationalists seeking revenge for losing the Cold War.

In an article attacking Hollywood in this week's *It's a Wonderful Life* magazine, Yuri Gladishchikov said that the onslaught had not been so bad since the 1960s, when Sylvester Stallone single-handedly took on the "Evil Empire" in his *Rocky and Rambo* films.

He argued that in today's politically correct Hollywood, Russians were the perfect target for film-makers afraid of offending minority groups by casting blacks, Asians or Latinos as villains.

Of more concern is the long-term negative impact on millions of viewers, many young people with only a vague idea of the real Russia.

Mikhail Sesiavinsky, a Russian MP, said its directors should fight back. "I would love to see a movie about American special forces, with their big ears and silly faces, bumbling an operation."

Warring factions 'put whale authority in peril'

FROM BEN MACINTYRE IN PARIS

PRINCE RAINIER of Monaco has given a warning that the International Whaling Commission could break up unless its warring factions can reach a compromise on whale hunting.

The commission, meeting in Monaco, is considering a proposal to allow the resumption of limited whale hunts in territorial waters, amid fears that unless the two sides in the debate agree to compromise, the commission itself may be doomed to extinction.

The battle lines between advocates and opponents of whaling have hardened to the point where there are fears that the commission may simply disintegrate. "The conflict between the whaling and anti-whaling coalitions looks more and more like a no-win situation for the whales," Prince Rainier, a commission delegate, said this week.

As anti-whaling forces gain sufficient strength to impose their views unilaterally, the temptation will grow larger for whaling nations to defect from this commission, in perfect legality, and resume commercial whaling under their own laws.

□ Tribal success: The Maki, an Indian tribe with lands bordering the Pacific in Washington state, which last whaled 70 years ago, looked set last night set to win the right to resume hunting with the commission's blessing.

Leading article, page 21



Rainier: Whales "face no-win situation"

Swiss 'main conduit for Nazi gold'

Washington: The latest American government report on treasures hoarded during the Holocaust will conclude that almost all the Nazi gold sent to neutral European countries was filtered through Switzerland (Tom Rhodes writes).

The second document prepared by Stuart Eizenstat, an Under-Secretary of State, is expected to focus largely on Nazi dealings with Sweden, Turkey, Portugal and Argen-

tina, but it will also establish the central role played by the Swiss National Bank as a conduit for gold stolen from victims of the Holocaust.

In his first report, Mr Eizenstat concluded that Nazi transactions with the Swiss helped to prolong the war and, for the first time, showed that some of the gold sent abroad had been melted down from the teeth of death camp victims.

Swiss politicians believe

that the second document, to be published in the next few days, will be less critical of their country; nevertheless, its conclusions are likely to confirm Switzerland's central role in dispersing Nazi loot.

In some cases the Swiss made lorry deliveries to Lisbon and Madrid. At other times, Germany sent gold to the Swiss National Bank as a holding point before it was transferred to countries such as Sweden and Portugal.

Nuclear stockpiles 'open to theft'

Washington: Decaying stockpiles of nuclear weapons across the United States are increasingly vulnerable to theft or sabotage, according to government reports (Bronwen Maddox writes).

Safeguards are inadequate, studies by the Pentagon and the Energy Department have found. The audits, obtained by *USA Today*, chronicle the steady reduction in security since the end of the Cold War. The Energy Department

which has 50 weapons facilities, stopped building armaments in 1991 when the Soviet Union collapsed.

Under international treaties, it is dismantling some nuclear weapons and refraining from testing others. As a result, it faces a worsening problem of storing dismantled components, including plutonium and enriched uranium.

It is also trying to prevent ageing warheads from deteriorating in the face of growing

uncertainty about whether they would still function if needed. The reports suggest that the Government has cut too deeply into security budgets. They point particularly to problems at Rocky Flats in Colorado, the Lawrence Livermore National Laboratory in California and the Mound plant in Ohio.

At Rocky Flats, they say, there were so many false alerts that security guards stopped responding to alarms.

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Netanyahu stirs fury by saying Left is un-Jewish

FROM CHRISTOPHER WALKER IN JERUSALEM

ISRAEL'S right-wing Prime Minister, Benjamin Netanyahu, sparked a political storm yesterday when supposedly private remarks suggesting that his left-wing opponents were not good Jews were picked up by a radio microphone and broadcast to the nation.

"Leftists have forgotten what it is to be Jewish. They think they will put our security in the hands of Arabs — that Arabs will take care of us. We will give them part of Israel and they will take care of us," the Prime Minister whispered to Yitzhak Kadouri, a rabbi, unaware that an Israeli Radio reporter had his microphone close by.

Before an aide could stop him, Mr Netanyahu, who was at a birthday celebration attended by the rabbi, added in a jeering tone: "Whoever heard of such a thing? It is as if the (biblical) spies (12 of whom were sent into the Promised Land to report back to the Jews in the desert) came and said: 'Not only are they mighty and we are afraid of them, but they are Jewish and we will let them protect us'. That is something."

The reaction from Labour and Meretz, the main left-wing opposition parties, was one of fury. They have tabled a motion of no confidence for

when the Knesset returns next week after a break for the Jewish New Year holiday.

In a country whose 49-year history has been dominated by the left-right divide, his remarks were seen as a crude attempt to belittle nearly half the electorate who voted for Shimon Peres, his left-wing rival in last year's election.

Ophir Pines, a Labour MP, filed a police complaint, claiming that the Prime Minister's comments constituted a serious slander against the Israeli public and a "breach of public trust".

Ehud Barak, the Labour leader, said: "It is embarrassing to see the Prime Minister whispering sedition into the ear of such an important and venerable rabbi on a holiday of unity. He cannot teach us what Judaism is nor what responsibility for security is."

Yossi Sarid, the leader of Meretz, said: "A person has to be really low to say what Netanyahu dared say about half of the nation. The left wing, according to Netanyahu, has forgotten what it is to be Jewish, but Netanyahu has forgotten how to be a human being."

Even Natan Sharansky, the Minister for Trade and Industry and a strong Netanyahu supporter, was critical of the

remarks, which come as the peace accord with the Palestinians remains deadlocked. "A 'good Jew' or a 'not so good Jew' is not measured by a political standpoint," the former Soviet dissident said. "We are all Jews and we all want the best for the state. I expect all leaders to emphasise what unites us and not what divides us."

But a hardcore of supporters went to the Prime Minister's Jerusalem home to demonstrate their support for him. Mr Netanyahu, in the meantime, has refused to apologise, saying his remarks had been taken out of context. He also accused the Left of incitement against his Government.

"It is absolute nonsense that I have doubts about the Jewishness of any leftists," he told Israel Radio in a typically combative interview. He said that he intended only to question their commitment to security and "did not pay attention to or see" the microphone.

Asked if he was prepared to say sorry, Mr Netanyahu, who earlier this week was presented with a gas mask by left-wing Peace Now members in a mock celebration of his 48th birthday, snapped: "Look, do you want me to apologise for something that I did not mean?"



Sheikh Ahmed Yassin sits in front of a Hamas poster at the Islamic University in the Gaza Strip. He urged Hamas to fight the Israeli occupation until it is removed.

Niarchos family battle over £7bn will

FROM JOHN CARR IN ATHENS

ONE of the inheritors of the £7 billion Stavros Niarchos fortune is blocking a bid for some of the money by the late shipping magnate's daughter.

An Athens court this week is hearing the case of Constantine Drakopoulos, a Niarchos grand-nephew and one of nine beneficiaries of the tycoon's will, who has filed a suit to block the claim of Helen Ford. The 31-year-old car heiress claims to be a legitimate daughter of Niarchos and Charlotte Ford, who were married in 1965. The marriage was dissolved two years later. Helen Ford has filed a suit in the Athens court to be included in the

will. Niarchos, who died in Switzerland in April 1996, left no provision for Ms Ford, whose existence he had virtually ignored. They had met once in Greece in 1978. Former Niarchos associates say the shipping magnate was initially put out by the meeting, but later showed the girl basic courtesy. To distance the tycoon from potential embarrassment, his entourage is believed to have started a rumour that Ms Ford was the illegitimate child of Constantine, the then King of Greece.

Mr Drakopoulos claims that Ms Ford has no legitimate status as a daughter of his great-uncle because the marriage to Charlotte Ford was a "civil" one and therefore illegal in Greece at the time. He

also says that because Niarchos lived in Switzerland until his death, a Swiss rather than a Greek court should have jurisdiction over the case.

Judicial sources in Athens said a verdict is expected within four months. However, by express provision of Niarchos's will, none of the beneficiaries will be able to touch any of the fortune before the end of 2009. The principal inheritors are his four children, Philip, Spyros, Maria and Constantine, by Eugenie Livanos, whom he was widely accused of having murdered. Others to share the £7 billion are his nephew, Andreas Drakopoulos, and son, Constantine, two American business advisers and a charity.



Charlotte Ford and Stavros Niarchos on honeymoon

WORLD IN BRIEF

Dismissal of Indian leaders reversed

Delhi: The Indian Cabinet decided yesterday to reverse a decision to seek the dismissal of Uttar Pradesh's Hindu nationalist government. Officials were quoted as saying that the centre-left Cabinet of the Prime Minister, Inder Kumar Gujral, decided not to recommend federal rule after President Narayanan urged it to reconsider.

Abuse and chaos had been hurled at the state's Bharatiya Janata Party government won a confidence vote — violence that led the state governor to recommend dismissal. (Reuters)

El Niño 'killing seabirds'

Anchorage: Hundreds of thousands of Alaskan seabirds are thought to have starved to death because of El Niño, the Pacific weather phenomenon. The US Fish and Wildlife Service said warmer sea temperatures caused by El Niño were forcing the birds' food sources — zooplankton and small fish — deeper into the ocean, beyond their reach. (Reuters)

Budget victory for Yeltsin

Moscow: Russia's opposition Communist Party, led by Gennadi Zyuganov, right, withdrew a motion of no confidence in the Yeltsin administration, effectively clearing the way for the 1998 budget to go through the Duma (Robin Lodge writes). Mr Zyuganov described the move as a victory, saying that the Government had granted a review of tax reforms and television airtime to opposition factions.



Bodies taken from ship

Brindisi: Relatives sobbed as the first of an expected 92 bodies were taken from the wrecked *Kater i Rader*, towed here after being salvaged (Richard Owen writes). The former torpedo boat, packed with Albanians fleeing anarchy, sank after a collision with an Italian naval vessel on Good Friday. She will be returned to Albania to become a monument.

Plenty more room inside

Brasilia: A law, to be ratified tomorrow, obliges the Brazilian capital's theatres and buses to provide seats at least 3ft wide for fat people. Theatres will have to reserve 3 per cent of their seats for "citizens with robust figures who wish to enjoy cultural events" and buses will have to have at least one seat that is twice the size of the rest of their seats. (AP)

Pandas breed problems



Beijing: Giant pandas, threatened in the wild with extinction, have created an overpopulation problem in Chinese zoos, the *China Daily* reported. The steady increase in the number of captive pandas in the country is causing strains on facilities, it said. Since 1963, 179 pandas have been born in reserves or zoos. The facility rate has grown with the development of new breeding techniques. (AFP)

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Disease's telltale evidence



**Dr Thomas
Stuttaford on
Peyronie's
disease, prostate
therapy,
leukaemia, and
hair-pulling**

This week there have been resignations from the American *Spectator*, a right-wing political journal, over its obsession with President Clinton's alleged financial and sexual misdemeanours. Paula Jones's insistence that Mr Clinton's penis has physical characteristics that set it apart from those of other men has always received wide coverage in the journal, and she promised that when the time came she would confirm her intimacy with him by revealing the Clinton trademark.

It now seems that the revelation is not very exciting, certainly not unique, and is unlikely to be of much value in a law court. Miss Jones claims that the President suffers from Peyronie's disease — *induratio penis plastica*.

Peyronie's disease was named after the physician to Louis XIV. It is the result of the formation of fibrous plaques, which cause thickening in the corpora of the penis. During a normal erection the spongy tissue of the corpora becomes congested with blood and thereby acts as a stiffener to the organ. If this tissue is replaced by a fibrotic plaque, it becomes incapable of filling with blood and causes a deviation. Depending on the site of the fibrosis, the deviation may be upwards, downwards or from side to side.



Peyronie's disease? It now seems that Paula Jones's long-awaited revelation about the President is unlikely to be of much value in a court of law.



Mr David Ralph, a consultant surgeon at the Institute of Urology in London, says that in 75 per cent of cases the deviation is upwards. Surgical interference is called for with this deformity only when the angulation is more than 45 degrees. Greater problems are experienced when the deviation is from side to side or downwards.

paratively common condition. When I was working full-time in a genito-urinary medical clinic I would expect to see about one case a week.

Miss Jones's story would thus be weakened by the frequency of the condition and also by the variable course that the disease can take. Any abnormality she claims to have observed all those years ago might by now have diso-

Peayronie's is not only an inconvenience, but can also be painful. Mr Ralph has not been impressed by steroid therapy or any other non-surgical treatment. If the devi-

ation is to the side or upward, at a great angle, either surgery to remove the plaque with the surrounding tissue, which leaves the penis shorter, or a vein graft, which does not give such a satisfactory result, but leaves the penis the same length, are the only satisfactory treatments.

There seems to be no advantage to early treatment as the degree of pain and inconvenience

nience are the only relevant considerations. Even surgery cannot always be guaranteed to effect a lasting cure as further plaques may appear elsewhere.

The cause of Peyronie's disease is still a mystery. The standard belief is that it is the result of repeated minor trauma, particularly in middle-aged or older men, whose tissues are already ageing.

Surgery and the prostate

Sidney Astor is still working at the age of 69, although he has had cancer of the prostate for more than eight years. Mr Astor had been prompted to visit his doctor by increasing frequency of urination. He felt well, but tests showed that the disease could not be cured by radical surgery or radiotherapy. Secondary deposits of the tumour in the bones of his neck and pelvis showed the disease had spread.

Mr Astor's medical history illustrates the point made by several readers who wrote after I had described radical surgical treatment for prostatic cancer. They pointed out that this can be used to treat the disease only when it is diagnosed early, usually as the result of a positive blood test. This still happens only in a minority of cases.

When the disease is detected early, doctor and patient must decide whether to opt for radical surgery, which involves a small risk to life and the slight possibility of long-term incontinence, or to choose radical radiotherapy. The latter may take the form of external beam therapy or the implantation of radioactive beads.

When the disease is detected later, there are several treatment possibilities. One is to do nothing until the patient suffers disruption of his normal lifestyle. But a recent Medical Research Council trial investigated the treatment of nearly 1,000 patients with advanced but symptom-free prostate cancer, and showed that patients whose treatment was delayed suffered more bladder problems and serious complications. Those treated immediately also survived for longer.

which deprives any developing tumours of the testosterone they need in order to exist. Other patients prefer to have regular injections of the drug Zoladex (goserelin), which are given every 28 days and seem to be as effective as surgical castration in depriving the body of testosterone.

Mr Astor was also prescribed Casodex, a drug that deals with any testosterone produced by the supra-renal glands. This combined therapy is known as maximal androgen blockade (MAB).

Four years after Mr Astor's initial treatment, he started to develop pain in the pelvic tumour. This was successfully treated with local irradiation, which provides effective pain relief for between 70 and 80 per cent of patients who have a painful metastasis (the spread of a tumour to other sites).

Sometimes a single system of normalising testosterone is used (monotherapy) and Casodex is added to the cocktail only when the tumour shows signs of returning. This approach has been compared with MAB, but those who favour the latter therapy argue that it gives a better initial response rate, delays the development of more advanced tumours, lengthens the period of complete remission and improves the overall survival time. However, it also produces more side-effects, such as tiredness and breast development, and costs more, which shamefully has become a major consideration with some health authorities.

Within 20 years, prostate cancer will be the most common form of the disease. But the need for more research into its early diagnosis and treatment has been realised, and there are promising signs that doctors will be able to tackle it with increasing efficacy.

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THE TREATMENT of leukaemia and other haematological malignancies is one of the success stories of the past 25 years. Half the young adults who develop a blood cancer can now expect to be cured. This is an average figure; in some cases the rate is very much better, in others it is not so good.

This month the Royal Marsden Hospital has opened a new Haemato-Oncology

Blood cancer cure rate up

Unit, which will further improve the cure rate. The new unit has 16 wards, 40-43 beds and will be home to the 150 patients who have transplant at the Marsden each year.

Marrow transplants have been revolutionised by the introduction of GCSF (granulocyte colony stimulating factor), one of the body's natural

growth factors, which cannot be produced in the laboratory. On injection, G-CSF encourages a great outpouring of marrow cells into the peripheral blood, where they can be harvested with a traditional blood cell separator and stored in liquid nitrogen until needed.

destroyed — for instance, by irradiation of cytotoxic chemotherapy — then the marrow cells can be injected back into the patient. If only 2 per cent of the marrow cells remain present in a person are re-introduced into a vein, then the patient will have 100 per cent of their marrow restored within three weeks. After this time, the accelerated process of marrow regrowth slows to normal rate.



Tearing your hair out

PEOPLE with trichotillomania have a compulsion to pull out their hair—some even swallow it. This can have tragic consequences, as a hairball may form in the gut and cause a fatal obstruction.

Trichotillomania is an impulse control disorder, and psychiatrists put it in the same category as compulsive shopping, kleptomania, pyromania and obsessive gambling. It needs to be distinguished from twiddling with the hair, which is merely a sign of agitation. Sufferers may also pull out eyebrows, eyelashes or pubic hairs.

As with all such disorders, the desire to give way to the impulse becomes ever greater, until it can be resisted no longer. Those with trichotillomania pluck their hair with increasing ferocity, until finally it comes away in a clump. The sense of release produced satisfies the urge to pull it out for a time. But when tension mounts again, the process is repeated. Always, the pleasure overrides any pain.

There is no specific treatment for impulse disorders, but claims are made for psychotherapy. The onset of the condition has been linked to stress or a childhood incident that *might have led to a sense of loss in later life.*

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

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Dreams can come true...eventually

Niall Williams moved from Manhattan to Ireland so he could write. He endured bankruptcy and potato blight, but after 12 years has finally found success.

Interview by Noreen Taylor

An ambitious young fast-track Manhattan couple were primed for success. He was a copywriter for the Hearst organisation, she a writer on a medical journal. Niall Williams and Christine Breen looked all set for promotion, increasing money and a seductive New York lifestyle. Except that something was missing. Slowly, an indefinable longing took hold as they confronted the predictability of lives dictated by the commercial conveyor belt and the dehumanising crush of Manhattan commuting. There had to be a better way to live.

Both remembered holidays in Ireland when they were students, and found themselves reminiscing about those times. Drawn by their shared love of Irish literature, music and culture, they fantasised about a new existence.

They talked of the 200-year-old cottage in Co. Clare, on the west coast of Ireland, that had lain empty since Christine's grandparents emigrated to America in 1906.

Christine, having spent her childhood in the affluent, tree-lined suburbia of Westchester County, knew nothing of country life. Nor did Niall, a Dubliner, who had lived in New York for five years. Each day, over lunch in a 57th Street diner, the two would rhapsodise over their dream. In bed at night Christine would ask "Tell me again, Niall, what will it be like?"

"We'll grow our food," he'd say. "You'll paint, I'll write. We'll have children. Our house will be filled with music, art, laughter and friends. We'll plot our own lives."

Twelve years later, Niall Williams is sitting across from me in a hotel lounge in Galway, wearing the mildly dazed look of someone whose

dreams have come true. He has finally created the world he used to describe to Christine as "our own imaginary kingdom".

But this is not a lifestyle piece. Enjoyable though it is to see the photographs spread before me, showing their idyllic, white-washed cottage set in a garden of hollyhocks and poppies, that is not the reason I am here. It is all because of the book on the table, Niall's newly published first novel, *Four Letters of Love*.

His book is now the toast of the literary world. Reviewers call it a love story of breathtaking beauty: "lyrical, intense, from the heritage of Yeats and Synge... 'elemental, unsophisticated... 'prose to fill your eyes with tears'".

Robert Redford, Francis Ford Coppola and Miramax are among the 30 companies clamouring for film rights. John Hurt and Marianne Faithfull were so moved by the story they offered to read chapters at the London launch. Nineteen countries have bought translation rights.

"Did you really like it?" Niall asks anxiously. "The story, it feels like the completion of a dream, like it was my destiny," says the tall man, whose scholarly, Jesuit air sits oddly with the wind-whipped, freckled face, a farmer's complexion honed by hours spent rurturing some of the most rugged terrain in Ireland.

Getting it published wasn't the main goal, he says, traces of New York colouring his Dublin accent. "I cared more about the story, the telling of it, whether I'd be able to carry it through to the end. I started writing it seven years ago. Sometimes I'd leave it for six months, lose faith, think no one will want to read this. Four years ago I began



Niall Williams with his partner, Christine, daughter, Deirdre, 10, and son, Joseph, 6. He has finally created the world he used to describe as "our own imaginary kingdom"

again at the beginning, saying the words aloud as I wrote, as little as 15 words a day sometimes. Meanwhile, I'd read of other writers' success — Roddy Doyle, Irvine Welsh — and think 'Readers want urban brutalism, not this', and grow depressed again.

However, I'd learnt to follow my inner voice. I'd found a thread, followed it without knowing where it might end, and was as surprised as any reader as events unfolded."

The story follows the twists and turns in the lives of two children destined to meet and fall in love, Isabel Gore and Nicholas Coughlan. Isabel grows up amid the melancholy grandeur of the Aran Islands, haunted by the sight of her broken brother, invalidated by a childhood mishap. Nicholas, troubled, neglect-

ed, begins life in the Dublin suburbs, trying to cope with the unhinged world of a father who believes God has told him to paint and a mother whose madness induces fits of crazed house-cleaning, followed by months in bed.

"I suppose," Niall says, "the novel is formed by a sense of God and by the wild, surreal, magical world in which I live. Life would have been very different had we not bought that one-way ticket to Ireland."

In New York, I would have been too tired to write. Leaving home at six in the morning, arriving back at eight at night, exhausted like every other grey-faced commuter. Each evening, I used to look at these people and think 'Is this where I want to be? 20-odd years down the line?'

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CHANGING TIMES

then went home, to Wisconsin or wherever.

The first book enabled us to buy 50 acres of land, and renovate the house. Unfortunately, the others didn't do as well so we had virtually nothing to live off."

But it was not entirely bleak. Nights of weeping for the children they could not have ended when they found they could adopt. Deirdre is now ten, Joseph six.

Warmly accepted and supported by local people, Niall and Christine were integrated into the community. He became director of the local drama group, a teacher of English and French literature at the local school. Christine painted, baked, gardened and organised keep-fit classes for her neighbours, women who on the first night assumed the point of the exercise was an evening out, and so dressed up in high heels and skirts, and

"I should have been grateful. I'd worked my way up to an office with a couch, a window overlooking Central Park. Everyone said I was on

my way... To where though? Twenty years on, I'd still be on that commuter train from Grand Central Station, and that felt frightening."

Did Ireland always feel like the right decision? "No, not after bankruptcy, the news that we couldn't have children, potato blight, the long, cold winter nights spent huddled over the fire worrying how could we carry on. We didn't realise how pampered our New York life had been until we came to Ireland."

"There has been a dramatic change in the past 12 years, but then you couldn't buy vegetables, apart from potatoes, carrots and turnips. Local shops didn't stock coffee. Forget peppers, avocados and fruit."

"We had to hack our way through weeds to reach the front door of a house that didn't have running water or electricity. Our savings didn't last long, so during those first years we co-wrote a series of books about our lives in Ireland. They sold well in America, mostly to couples who dreamt of living the good life, and in a strange way we felt we were doing it for them."

"Hundreds came to visit, bought Christine's paintings, went to local houses asking for the autographs of neighbours mentioned in the book. With genuine emotion they thanked us for what we were doing and

feasted on cakes while watching Christine do sit-ups.

The success of the book, he says, is all down to a former university friend who acted as his agent, Marianne Gunne O'Connor, a fashion publicist, planned to send the book to Peter Strauss at Picador in London because she felt he would understand this unusual love story.

Too busy to meet her, and off the next day to New York, he suggested Marianne send the manuscript to his office. Instead she flew from Dublin, met him at Heathrow and begged him to read the book on the plane. The following day he faxed back "Yes".

Next month, Niall will be in New York, publicising his book, revisiting his past. "I've been back a couple of times and each time I'm surprised at how I've changed, at how inept

I've become at walking the streets, at mastering that hey-don't-mess-with-me aura, the New Yorker's basic survival kit. I feel assaulted by the people and traffic, easy prey for muggers. Life in Clare has left me soft and vulnerable."

Yet there is so much he has missed, in exchanging Manhattan's buzz for Co. Clare's quaint wilderness. Who can he talk to about work? How does he measure his progress?

"I'm not buying into competition. There are no other writers around, no literary cliques, but I don't miss it. Christine sometimes gets annoyed with me because of my conviction that everything will work out somehow. I believe there is a reason for everything — that it all fits somehow, no matter how outrageous. How else could you explain my life?"

● *Four Letters of Love*, Picador, £12.99

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We vote for the sensible alternative

Peter Hain urges Labour to follow the Australians

Although Britain's first-past-the-post system has tended to produce stable governments, nobody can claim it is fair. The case for electoral reform is strong.

Fairness, however, is only one test of democracy. Even more important is accountability. Under most forms of proportional representation (PR), MPs are distant from voters because the single-member constituency is abolished. Power is sucked upwards, away from ordinary party members to regional or national levels of the party structure. Our current over-centralised system of power would be still further centralised.

The Liberal Party's favourite option is the Single Transferable Vote (STV) in multi-member constituencies, which already operates in the Republic of Ireland. This would replace our traditional single-member constituency — averaging 65,000 electors — with monster new constituencies containing about 315,000 electors. In rural areas these could cover hundreds of square miles. MPs would find it more difficult to keep in touch and their roles would be confused. Would they seek to represent their own party supporters only? Or would they divide up the constituency geographically?

Under "list" systems, electors vote for a party rather than an individual. MPs are then selected from central or regional party lists of candidates in numbers proportional to their party's total vote. Although such systems operate widely in Europe, the link between the MP and local constituents and party members is broken.

In Germany, "additional member" PR systems top up single-member constituencies with representatives drawn from lists to make the total proportional to votes cast. But this still concentrates power in party bureaucracies and also creates the anomaly of two classes of MP — some accountable to their electors, others without constituency duties.

Significantly, the 1976 Harstad Commission was caught between a "fundamental and unanimous" desire for electoral reform, and an honest acknowledgement that all proposed PR options would have significant democratic defects in Britain.

A far better option is the Alternative Vote (AV), as used in the Australian House of Representatives. This retains the present single-member constituencies. Rather than placing a mark against a single name, each voter numbers the candidates listed on the ballot paper in order of preference.

Unless a candidate wins outright by obtaining more than half the preferences of voters, then bottom candidates are progressively eliminated and their second preferences transferred until someone achieves an overall majority.

AV secures a fairer relationship between seats and votes.

though it is not genuinely proportional. Studies of its likely impact suggest gains for Labour and especially the Tories, who have for many years benefited disproportionately from the current voting system.

Crucially, by maintaining single-member seats AV maintains local accountability. Our electorate is attached to the single-member seat — more so than other European countries, where there is no strong tradition of a local parliamentary constituency.

The case for AV is this: it is fairer than first-past-the-post and would prevent exaggerated parliamentary majorities (for example secured by Mrs Thatcher in 1979, 1983 and 1987); there is less scope for "wasted" votes because electors could state their real preference: there would be less geographical bias towards a particular party; it is easier to form majority governments than under PR; it is relatively simple to operate and does not require boundary changes; by-elections would be easy to organise.

Finally, a highly pragmatic consideration, but nevertheless an important one for those serious about implementing electoral reform, as opposed to theorising about it. AV is almost certainly the only option the Commons would back. MPs are hardly likely to vote themselves out of their own seats and onto either lists or into multi-member constituencies where their futures would be uncertain.

Confirmation of this can be found by examining the tortuous debates and behaviour of MPs when PR was last a prominent issue — that is, after the First World War. No single system of PR could command enough support. Labour then supported AV and carried it through the House of Commons in 1931, when it fell in the House of Lords.

The appropriate electoral reform should be considered on its merits for each unit of government. There will be a list system for the next European elections in 1999, and additional-member systems for the Scottish parliament and the Welsh assembly.

A democratic second chamber to replace the House of Lords should be elected under a list system of PR, with votes for a party cast at the same time as votes for local MPs. This would produce a second chamber that could genuinely claim legitimacy as a constitutional check, because it would contain a fair spread of almost all political opinion.

For the House of Commons AV could form the basis for a new agenda for electoral reform that is both more democratically credible and more practical than those offered by PR. That is why many in the Labour Party favour it.

The author is a minister at the Welsh Office and MP for Neath.

All PR options would have significant defects



EVOLUTION OF HEAD OF STATE'S COIN PORTRAIT

A dysfunctional family?

Magnus Linklater wonders what the Edinburgh Commonwealth summit is for

If anyone cast the cold eye of logic over that ramshackle club, the Commonwealth, now gathering in Edinburgh for its biennial conference, he might wonder that its time was up. If the Queen, its head, is no longer welcome in its most populous state, what is the point of carrying on as it is? All that seems to be left is an expensive talking shop, an excuse for globe-trotting, and a useful boost to the host city every couple of years. Without formal powers, this "free association" of sovereign states has no economic muscle, offers no collective security to its members, and has little effect on the human rights abuses it is meant to curb. It carries only the flickering memories of empire.

So why not simply decide that this week's Heads of Government Meeting will be the penultimate one, with 1999 a suitable year in which to bring the whole ritual to a close? The Commonwealth has had a decent run, after all. Dreamt up in 1926, it was given legal status in 1931, so it will have reached, roughly speaking, the age of three score years and ten by the millennium. A good excuse, perhaps, for gentle retirement.

And yet the measure of a healthy club is whether it continues to attract new members. For reasons not immediately obvious, this one seems to have become the Groucho of the international scene — everyone wants to join. It even has a waiting list. With South Africa back in the fold; Mozambique and Cameroon recent joiners; Fiji, which resigned in 1987, now a member again; and even Rwanda queuing up for entry, it has reached a record 54 members. Its area of influence is steadily extending. On the agenda this week will be applications from the Yemen, and from Yasser Arafat's Palestine National Authority.

One reason for its success, a delegate explained to me, was that it offered small nations a sense of security. There was, he said, no resentment over Britain's colonial past. "We may have been exploited by Britain, but we would rather be exploited by Britain than anyone else I can think of."

Compare this to the French equivalent, which seeks to bring together former French colonies, and yet has to dredge up members and bribe them into joining. If there is one overriding reason for continuing the

Commonwealth, it is that the French are jealous of it.

The Prime Ministers and Presidents flying into Scotland this weekend seem in no doubt themselves. They are, if anything, more determined than ever that the Commonwealth should continue to expand its activities. A brief look down the agenda shows a plethora of action groups and working panels. A network of organisations, devoted to human, social and economic concerns, now operates throughout the member states. For the first time the United Nations will be joining in.

Looking back over the past 20 years, it has often been defined more by the rows that have divided it than the ethos that is meant to underpin it.

Lusaka 1979: Zimbabwe threatens breakaway. Melbourne 1981: outrage over New Zealand's sporting links with South Africa. New Delhi 1983: US invasion of Grenada. Nassau 1985: Britain isolated over South African sanctions. The tensions there were almost palpable. "As I entered the room," wrote Baroness Thatcher in her memoirs, "they all glared at me. It was extraordinary how the pack instinct of politicians could change a group of normally courteous, sometimes charming, people into a gang of bullies."

For a decade, apartheid was the dominating theme. Then, at Auckland in 1995, Nigeria defied the Commonwealth and executed Ken Saro-Wiwa, while the French tested their bomb in the Pacific in the teeth of protests. Each disagreement has ended with a last-minute compromise of sorts, encouraging the belief that the Commonwealth has genuine cohesion and an independent life of its own. But the political agenda has largely been reactive. This is the first meeting in recent memory with no major dispute to patch up. So what defines its objectives? The nearest we get is the Harare Declaration of 1991, which set out a series of worthy goals such as promoting democracy, the rule of law, sound government and human rights. To those it added a litany of good causes — fighting poverty, disease, drugs and inequality. The only thing lacking was sin.

And yet what progress has been made? No one surveying events in Kenya, Nigeria, Sierra Leone, The Gambia or Zimbabwe, could honestly claim that democracy was universally available in this Commonwealth of Nations, or that human rights were evenly applied. The only demonstrations of consequence in

Edinburgh this week will be over the appalling record of the Nigerian regime; and yet there is no evidence that Commonwealth leaders are prepared to agree on tough collective action, such as the imposition of sanctions. If it cannot even unite on this, what hope is there for the Commonwealth itself?

Even the environment, seems to have dropped off the official agenda, despite the crisis in South East Asia, where a path of choking haze pollutes the atmosphere in at least three member states, Malaysia, Singapore and Papua New Guinea. One might have thought that the failure of last year's Earth Summit would offer the Commonwealth, with its highly vulnerable smaller members, the chance to make its voice heard. It could still happen, but the only people holding their breath are the luckless citizens of those countries.

There is, however, a serious new role that Tony Blair, who will chair the proceedings, might consider. He is a constitutional reformer, who has tackled devolution in Scotland and Wales, and is now considering the future of the House of Lords; the Commonwealth should offer a suitable challenge. Here is a body representing a third of the world's population, some 1.7 billion people, united not just by the experience of Empire but by the English language. Hungry for education, for help in sustainable development, and for access to the new technology in which most of its members lag so far behind, it looks to Britain, not for moral leadership, but for practical assistance, skill and investment. It is a massive market, but also a formidable, if hidden, power, where, for once, this country is positively welcome.

Bodies like the Commonwealth Development Corporation, how to be partially privatised, provide an infrastructure in the Third World, on which to build.

Over the next five years, Mr Blair should begin easing the Commonwealth away from the concept of a large and amiable, if unruly, clan, with the Queen as matriarch, into a modern, dynamic economic organisation. It will involve breaking some old links as well as forging new ones. It will mean changing attitudes that have been formed by the conflicts of the past. The reward for success, however, could be to turn it into a club that is genuinely worth joining.

At least it offers a challenging opportunity for Mr Blair's reforming zeal

Sorry tails

BRITISH AIRWAYS is in a tailspin. Four months after the airline unveiled a new range of "ethnic" designs for its fleet, I gather that it is rethinking the £60-million initiative. The final straw: Baroness Thatcher's judicious deployment of a hankie at the Tory conference, covering the tail of an offending model BA plane. Now their marketing consultants have been hauled back in.

The company painted over the Union Flag tailfins and replaced them with extravagant designs, ranging from Chinese calligraphy to Kalahari paintings — not very British, or aeronautical. The aim was to add "the modern values of

friendliness, diversity and an open and cosmopolitan outlook" to "the best traditional British attributes". Qué?

Shareholders caused turbulence by jeering Bob Ayling, chief executive, at the annual meeting, and Richard Branson gleefully ordered Union Jacks to be painted on his fleet as a "patriotic gesture". But it was Lady Thatcher's hankie antics that stung. Wagging her finger, she told a BA official: "We fly the British flag, not these awful things you are putting on tails."

Now the company is talking to Wolf Olins, the marketing specialists who oversaw British Telecom's brand change to, er, BT and are responsible for the British Gas "Goldfish" campaign. "You have put me in a very difficult position. I can't say anything," says a voice in his office. Indeed, so how extensive will the makeover be? "We talk about general marketing strategy to a wide range of people," witters a company man.

At least Lady Thatcher is trying to make amends. She has just flown to America — on a BA plane.



"The clocks are going back next weekend"

IT was a bold aesthetic statement. Stripes, yet swirls. Red, yet green. We are talking of Stephen Dorrell's jumper. It was enough to wake up even somnolent Tory spin-doctors. A message flashed up on a bleeper from one of their number to another yesterday: "Tell Dorrell to take off that dreadful jumper. It looks like he bought it in a jumble sale." And he was being polite.

In the frame

HOW he must be feared, Peter Mandelson was visiting the Home Office and they flew into a terrible spin. Herbert Morrison, Mandelson's beloved and inspirational grandfather had been a distinguished Home Secretary, but there was no portrait of the great man in his old office.

Much discussion. Eventually a call was made to Robin Cook's office. Briefly, and not terribly successfully, Morrison had been Foreign Secretary. Does the FO have a portrait, and if so can the Home Office borrow it?

The work was swiftly dispatched. And so far it has not returned. "We would quite like it back," says a startled mandarin. "There is a big gap on the wall."

SLEAZE continues to sustain the energetic intellects of Conservative MPs, not least Michael Ancram. Tucked under his arm



while he jammed tunelessly at Eastbourne was a copy of Behind the Oval Office. By Dick Morris — the White House spin-doctor who is to sleeve what the Two Fat Ladies are to a bucket of blancmange.

Seb & Co

BLOCK PATTEN. That seems to be the message from Central Office which has quietly decreed that only those who stood at the recent general election shall be considered as candidates for the by-election at Beckenham. This, of course, rules out Chris Patten. But it is rather good news for the uninspiring Seb Coe, who just happens to be a crony of William Hague.

The constituency selection meeting has been rushed forward to Saturday, with little fanfare. After the death of Sir Michael Shersby, a local political virgin, John Randall, was allowed to

stand in the Uxbridge by-election, held at the end of July. He increased the 724 majority to 3,766. But Central Office has decided that now Chris Patten is "free", non-combatants will not be trusted with the Beckenham majority of nearly 5,000. A strange decision.

TONY BENN's solution to the spin crisis: "We should put the spin-doctors in spin clinics, where they can meet other spin patients and be treated by spin consultants. The rest of us can get on with the proper democratic process. Just so."

Snore bore

FIDEL CASTRO is notorious for boring audiences into submission with his six-hour speeches. John Rock, chairman of the Royal Institute of British Architects is showing similar promise. Members, including Terry Farrell, were invited to hear Rock "outline ideas for the future". They begged for mercy as his inaugural address "crawled to a conclusion" — two hours after it began. RIBA admits the speech was "rather long". Says a guest: "Many walked out but some stayed and simply snored."

AS the Queen relaxes under our northern cloud, I can disclose the Duke of Edinburgh's touching "pet name" for Her Majesty: "sausage".



NOW that Eva Herzigová (above) has hung up her Wonderbra, she is becoming a muse. Her husband, Tico Torres, of the loud rock group Bon Jovi, is fashioning sculptures of her. "She is a natural subject," he says, before disappointing billboard aficionados. "They had better remain on private view."

JASPER GERARD

Serve the voters, not the party

Graham Mather defends the Strasbourg Four

Labour's heavy-handed attempt to silence discussion about its ill-judged plans for proportional representation in Europe is a challenge to democracy. Ken Coates, one of the four MEPs suspended yesterday, has Old Left views which are well known. Yet he is also known in Brussels and Strasbourg as principled, intelligent and committed to open and honest debate. He is right to tell his Chief Whip that it is a parliamentarian's right and duty to debate such issues.

The parliament's President (Speaker) is right to refer to the gagging instructions to its Rules Committee. The European Parliament's rules insist that European MPs "shall exercise their mandate independently" and "not be bound by any instructions and shall not receive a binding mandate".

The Home Secretary, Jack Straw, will shortly announce legislation to introduce proportional representation (PR) for the European elections in 1999. Still smarting from the "gross discourtesy" with which he was received by Labour MEPs two years ago, Tony Blair is also now imposing a reselection system designed to eliminate Mr Coates and "old" Labour. Meanwhile, the intended victims are not allowed to discuss any aspect of PR or reselection in public. The ban is couched in language which would have warmed the cold heart of Uncle Joe Stalin.

Why are Labour's whips so desperate to shut down the debate on PR? It is not just old Labour which objects to a "closed list" system of PR in which voters can pick only a party list and not express a preference between candidates. Labour constitutional reformers, Lib Dems and Tories will reject this approach, which is unlikely to pass the scrutiny of the Lords.

Another disadvantage of PR is surfacing: the fact that it weakens competition and choice between parties, but exacerbates internal feuding. An MEP's individual views are submerged in the closed list and healthy competition between parties is replaced by covert manoeuvring to achieve an electable position high up the party list.

Labour's next discovery will be that it has chosen the wrong form of PR. Because PR is formidably complex, and its myriad systems and variables are all but incomprehensible, ministers were delighted when a slim and clearly written pamphlet by Lord Plant and Michael Stead pointed them towards regional-list PR. The problem, as John Prescott has discovered in another context, is that English regions are highly difficult to define.

There is no suitable existing set of regions; economic regions, for example, do not coincide with electorally desirable regions of approximately equal size. On the final day of the last parliamentary session, the Home Office shuffled the problem to the Boundary Commission. But it seems unlikely this cautious body will be able to design acceptable regions before the European elections begin to loom in a year's time.

All these problems are dwarfed by a constitutional change which will generate serious public disquiet. The worst losers under regional-list PR are constituencies. Voters are rightly concerned that their MEPs are so remote and have to cover too large an area — typically, six or seven Westminster seats. Under regional-list PR any recognisable constituency connection disappears.

This connection is, in many voters' eyes, the only really valuable thing that MEPs deliver. In acting for individuals, they can make a real difference. They wrestle with German and Belgian health, childcare and pensions bureaucracies on behalf of constituents. They procure grants for businesses and "schools". They intervene with difficult Customs authorities, ponderous benefit agencies and impossible, non-communicative foreign government departments, as well as questioning the Commission, petitioning the European Court of Human Rights and tackling countless daily problems. There are plenty of urgent cases, including constituents who have mislaid their passports and have been incarcerated abroad by overly aggressive authorities.

An MEP is remote already to his half-million constituents; what meaningful connection could he, or she have with a territory ten times the size as would be the case under regional PR? If the continental experience is repeated, MEPs will lose interest in local issues and cases. Their eyes will turn inexorably towards the party centre, the source of patronage and power. As Ken Coates so memorably put it, creeping to Peter Mandelson will replace accountability to constituents.

Instead of bringing Europe closer to the public, Labour's hasty and ill-considered grasping of regional PR will make it more remote, strengthen internal party strife, deny constituents effective advocacy and require draconian party discipline as the problems tumble out, one after another. Jack Straw should delay his proposed legislation, go back to Cabinet, and ask them to think again.

The author is Conservative MEP for Hampshire North and Oxford.

IRVINE'S HARD CHOICE

How legal aid logic may tie the silks in knots

Legal aid, like the National Health Service, was designed by a reforming Labour Government to bring professional expertise to the ordinary taxpayer. But both became systems in which some of the professionals grew expert at milking the ordinary taxpayer. The organisation of the NHS to suit consultants' pleasure has been challenged successfully by Conservative market reforms. Now, the arrangements which allowed the legal aid fund to be exploited by the unscrupulous in the legal profession will be tackled by a Labour Government.

The Lord Chancellor, Lord Irvine of Lairg, is determined to grapple with what he has called a "leviathan with a ferocious appetite". That a man with horsehair in his blood such as Lord Irvine should face down his brothers-in-law in this way is altogether admirable, a "hard choice" to be rehearsed. Lord Irvine's zeal should not, however, lead him to act too precipitately. Reform is required, but time must be taken to ensure the ground is prepared for the advance.

The scale of the problem was outlined by Lord Irvine with commendable clarity in his speech to the Law Society on Saturday. Ninety per cent of the legal aid bill goes on lawyers' fees and the amount has risen ahead of the number of cases handled. In the last four years the average payments in civil legal aid have risen by more than 43 per cent and yet the number helped has gone down by 9 per cent. Lord Irvine is, rightly, determined to tackle the producer interest and ensure that legal aid again becomes a "tool to promote access to justice for the needy" instead of a "means of keeping lawyers in business".

To that end the Lord Chancellor proposes to fix contracts with legal aid lawyers, which will specify costs in advance. The Exchequer will benefit rather than paid-by-the-clock lawyers who collect their fees after completing work which they currently have no incentive to expedite. Lawyers protest that trials can sometimes take much longer than

envisaged. So they can. They can be shorter too, especially if the lawyers know that the taxpayers' pockets are not bottomless.

Lord Irvine invites lawyers to accept that they should "take the rough with the smooth". They should also accept that the intellectual intricacy and susceptibility to delay of their work is certainly no greater than that of others who take the taxpayer's shilling. Civil engineers engaged in complex projects can make estimates, enter contracts, and abide by them. Cannot the men in wigs better emulate those in hard hats?

The greatest area of contention in Lord Irvine's reforms is his proposal to extend the use of conditional fees. The "no-win no-fee" system is currently available in personal injury cases. Lord Irvine hopes to extend it to most civil litigation, apart from special cases such as family. It is right that the risk in bringing a case should be shared between the lawyer and his client. As Lord Irvine has argued, the lawyer has a clear incentive to be more careful in recommending litigation and then pursuing it; if the lawyer does not think it worth the risk of pursuing the case, then why should the taxpayer do so? Lord Irvine is careful to allow that there may be some cases where the law would benefit from litigation being pursued at public expense but as a general rule his logic appears to hold.

There should, however, be one brake on his urgency. Although litigants will not pay their own lawyers' fees if they lose, they have to be prepared to cover their opponents' costs. Insurance companies are prepared to offer premiums against the eventuality, based on the recognition that lawyers will only take on cases they are likely to win. This market is still, however, in its infancy. More actuarial work may be required before the Lord Chancellor can feel confident that the level of premiums will not be so high as to deter deserving cases and that reforms which should broaden access to justice and relieve the burden on the taxpayer.

THE STRASBOURG FOUR

Labour MEPs deserve no tears but they do have a point

Too many of Labour's MEPs are left-wing, disloyal and a bad advertisement for their party. If they fail to be re-elected in 1999, few tears will be shed. But whatever their faults, they do not deserve the treatment they are currently receiving. Yesterday, four were suspended from the party simply because they refused to sign a pledge not to speak publicly about proposed changes to the system of European elections.

The party's actions show all the worrying signs of a leadership that has become obsessed with control. It has a firm mandate to introduce proportional representation (PR) for the European elections, since this commitment was in Labour's general election manifesto. But the form of that PR deserves to be widely debated. This is what the four dissident MEPs want to be able to do.

They clearly have a vested interest in the issue. If Labour's leadership has its way, none will have a chance of returning to Strasbourg in two years' time. The new candidates will be chosen ostensibly on the grounds of their diligence, competence and committee skills, but these character traits will mysteriously be found only in members with new Labour views. Labour's European parliamentary party may need to become more modern, more centrist and more female. But the ends which the party plans cannot be said to justify the means.

Whatever their personal interest, the dissidents are right to protest against an electoral system that puts the power of selection in the hands of the party's centre, leaving none for voters or party members. This is bad for democracy and will be bad,

eventually, for the parties too. The Government plans to introduce the worst possible kind of PR for the European elections. Its "closed list" system allows voters no say over which candidate they want; they can merely vote for a party, which will then appoint its own placemen to the Parliament.

Voters will have no idea whether their MEP will be male or female, young or old, right or left-wing. Nor will they be able to oust an unpopular MEP. This may serve the purposes of Tony Blair — and indeed of William Hague, who can also purge his party of "undesirable" MEPs who flirt with federalism. But it does not serve the interests of the electorate.

There are many versions of PR that allow voters to choose between candidates. The single transferable vote, which is already used in Northern Irish European elections is one. So was the regional list version that Labour itself proposed in 1977. If seven or eight candidates are to be successful in each of Britain's 12 regions, why should not voters be able to rank them in order of preference?

Even if the closed list system is chosen, the selection of candidates could be made more democratic. Labour has already found that its one-member-one-vote process for Westminster candidates tends to produce sensible, modern Blairites. And if the Tories used it, they would discover that their members were inclined to favour Eurosceptics. If only both leaders were prepared to trust their parties, there would be a semblance of democracy. As it is, 1999's European elections promise to be a triumph of party manipulation over genuine voter choice.

BEACHED POLICY

New Labour 'realism' will not save whales

The International Whaling Commission's global ban on commercial whaling, agreed in 1982 and in force since 1986, was a landmark victory for conservation. It responded to scientific evidence that far too little was known about whale numbers, migratory habits and breeding cycles for continued whaling to be "sustainable".

But the victory was only partial. This was a moratorium, not a permanent ban, and left loopholes for indigenous peoples who relied on whaling, and for "lethal scientific research" — the clause that Japan has exploited to kill whales which end up not in its laboratories, but in restaurants. In 1993, Norway exercised its right to enter a legal reservation to the IWC and resume hunting of the relatively plentiful minke whale. In 1994, the continued threat made it necessary to declare a large tract of the Antarctic a whale sanctuary in addition to the Indian Ocean, where many great whales breed.

With whales now being killed at the rate of three a day, this accord is under grave strain. At this year's IWC conference in Ireland, for fear that it will otherwise collapse, have proposed a system aimed at reasserting IWC control. It amounts to rolling back the punches. There would be a total ban on whaling on the high seas, including a ban on "scientific" hunting, and on the international trade in whale products. But for local consumption only, it would allow limited hunting under IWC controls in coastal waters — which means up to 200 miles out to sea — of species such as the minke.

The Irish plan is almost equally unpopular with whalers and opponents of whaling. The Japanese, whose ships have been seen "researching" Bryde's whales in the deep ocean and whose markets have caused selling the endangered blue whale, reject a high seas ban. The Norwegians, who plan to increase kills to 2,000 a year and want to sell whale blubber to Japan, reject the ban on trade. Australia insists that the ban must stay; so does the US, despite weakening its case by seeking a "cultural" quota for a Pacific coast tribe which has not been near a whale for 70 years. Britain, together with some conservation groups, claims that while it still supports the total ban "in principle" it could accept some coastal commercial whaling as the price of keeping Norway and Japan outside — provided it means that fewer whales are killed.

This "realism" is simply not realistic. As defined by the Law of the Sea, the world's coastal waters cover 40 per cent of the oceans; almost all whales are found there. Quotas will be flouted. Modern whaling vessels can butcher and process captured whales in an hour, making it extremely hard for inspectors to verify numbers and species. Exceptions for Norway and Japan would be morally unacceptable and set precedents for others such as Russia and Iceland. The scientific study of these great mammals is still in its infancy. The arguments of 1982 still hold. This Government claims to stand for principle in international policy. Whaling is a fair test of that commitment.

Plain talk, please, on joining EMU

From Mr James Bourlet

Sir, John Monks, the TUC General Secretary (article, October 21) is, frankly, talking through his hat in stating that:

Ruling out EMU membership... will deter investment in the British economy... Toyota made this point clear last week when it decided to locate its new plant in France.

Toyota made no public announcement of such a decision last week and is not expecting to do so for some months yet. EMU membership is quite simply a political matter and as likely to disadvantage a company like Toyota as to benefit it. But Toyota certainly is rather frightened of joining the EU Commission, which "fined" the company £4 million for obtaining its Burnaston site advantageously.

So please take "news" of Toyota's support for EMU with a large pinch of salt, Mr Monks.

Yours faithfully,
JAMES BOURLET
(Honorary Secretary,
Economic Research Council,
239 Shaftesbury Avenue, WC2
October 21.

From Sir Michael Newington

Sir, What a pleasure to read John Monks's article. I do wish our politicians would show a bit more confidence in the good sense of the British people. If the Government were next week to take an unambiguously positive line on EMU membership, not just in the vague future, but setting a target of joining in 1999, I have no doubt that it could get such a policy endorsed in a referendum before next May's EU summit.

The timid will always find reasons for delay. Conventional wisdom says it is hardly conceivable for the UK to be in the first wave of EMU members. It is seriously contended that a nation which prides itself on the sophistication of its financial markets and on its capacity to improvise, would be less competent than other EU countries in managing the transition? And why is it supposed that it would be easier to join in the second wave?

All that is needed now is a clear lead. May we please have it, Mr Blair?

Yours faithfully,
MICHAEL NEWINGTON,
Inces, Saynes Hill, West Sussex.
October 21.

From Mr Norris McWhirter

Sir, In place of formal congratulations to our Prime Minister and his Chancellor for temporarily tripping the ratchet of the treaty obligation to "ever closer union" with Europe, should not your leading article (October 18) have been questioning how it is that we came so close to ending our parliamentary democracy?

Ever since 1972, rule by statute, case law and custom has been subjugated to rule by a succession of European Community treaties. This revolution has been rendered feasible only by the executive assumption that any statute can be implicitly, as opposed to expressly, repealed. The federalists' aim to circumvent such statutes in force as Magna Carta, habeas corpus, the Act of Settlement and the reign-long contractual Coronation Oath Act by implied repeal is nothing less than a negation of parliamentary democracy.

Our courts still have power to determine the legality of any pretended use of prerogative. What *Halsbury's Laws of England* describes at vol 8 para 920, as "the contrast" between the Crown, bound by the terms of the Coronation Oath (to rule according to our laws and customs) and the people is still in force.

Why for 25 years have the autocrats, corporatists and republicans, many of them overseas, been permitted to make all the running?

Yours faithfully,
NORRIS MCWHIRTER,
The Manor House,
Kington Langley,
Chippingham, Wiltshire.

From Mr Frank Glyn-Jones

Sir, It is just not possible to calculate the consequences of joining the EMU. Historically Britain has had no alternative to devaluation and John Monks's talk of long and short-term interest rates is unconvincing.

In the EMU the short-term interest rate would be of the order of 3-4 per cent, and that would cause consumer borrowing in Britain to rocket and the inflow of foreign money to dry up. The strains taken by a variable exchange rate would be reflected in incomes, prices and employment and the balance of the economy would be changed — quite unpredictably.

Much of our trade with Europe consists of cross-country movements by foreign multinationals but British business increasingly turns to the expanding markets of the Far East and Latin America where the rigidity of the euro might be a disadvantage.

If we focus on the United States as a model, a common European economy will only work if there is total mobility of entrepreneurs and employees. The next step must therefore be a common language. Perhaps Herr Kohl thinks that it will be German and M Chirac that it will be French, but English is the language of multinationals and further education throughout the world. I would think it rash to change the fundamentals of the economy without addressing this need.

Yours sincerely,
FRANK GLYN-JONES,
Oakfield, 7 The Grove,
Ramon, Eastbourne, Sussex.
October 21.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Vote of confidence in RA President

From Mr Norman Ackroyd, RA, and others

Sir, The Sensation exhibition at the Royal Academy of Arts has, quite naturally, generated much passionate discussion within the ranks of the academicians. With such a wide range of artists among our membership, this is completely understandable, indeed desirable.

This is not the first time (nor will it be the last) when such passions spill out into the media. The unfortunate effect is that because such revelations make news, the extraordinary achievements of the current presidency are going unrecorded.

Under Sir Philip Dowson, the finances and administration of the Royal Academy have been transformed. The accumulated deficit, which was of great interest to the media towards the end of last year (letters, December 13, 23, 1996; January 2), has been more than halved and the current deficit for the year reduced by nearly three quarters.

Donors' wishes and trustees' powers

From the Chairman of the Museums and Galleries Commission

Sir, In your leader, "Artistic licence" (October 15), you state that, under the 1992 Museums and Galleries Act, conditions placed on a gift to a national gallery can be overridden by that institution's trustees after 50 years.

This is correct, but the 1992 Act, and similar provisions in earlier legislation, do not extend to all national museums and galleries. In particular, no such statutory right applies to the Wallace Collection, which is comparable to the Burrell Gift in terms of the comprehensive restrictions stipulated in Lady Wallace's will, restrictions freely accepted by the Wallace Collection trustees and successive governments.

Further, the possession of this power does not mean that national museums and galleries are unaware of the importance of respecting donors' intentions. It is in this spirit that the National Gallery of Scotland continues scrupulously to respect the terms of the Vaughan Bequest of Turner watercolours of 1900, which stipulated that they should, for conservation reasons, only be displayed during the month of January each year.

You suggest that national museum status should be extended to Glasgow Museums. Any such change would re-

quire the Burrell Collection to have its own trustees who would, in turn, have the duty of care and responsibility to the collection.

Glasgow is just one among a number of museum and gallery services in the UK which care for collections of national or even international status, but which do not receive funding from central government.

The Museums and Galleries Commission has begun the task of identifying these outstanding collections through its Designation Scheme, which currently only operates in England. We hope to extend the scheme to the other countries of the UK, although ironically Scotland has to date appeared unwilling to join in.

The Government has a unique opportunity to address the issue of funding and governance of museums across the UK. We very much hope that the Scottish Office and the Department for Culture, Media and Sport, both of which are participating in Treasury-initiated strategic and spending reviews, will seize this opportunity to reconsider this important issue.

Yours etc,
JAMES JOLL,
Chairman,
Museums and Galleries Commission,
16 Queen Anne's Gate, SW1,
October 17.

Zimbabwe's economy

From Mr Barry J. Lennox

Sir, By suggesting to Tony Blair that Britain compensates white farmers for 13 million acres of their land which the Zimbabwe Government says it will seize (report, October 20, earlier editions), President Robert Mugabe is once again looking for a hand-out to retrieve a situation of his own making.

Prior to Zimbabwe's independence Lord Trevelyan, speaking in the House of Lords in 1979, said: "It is likely that a constitutional settlement and the lifting of sanctions will lead to a large inflow of commercial investment into Rhodesia and there will be prospects of economic aid as well." As a result, Zimbabwe should be in a position to meet its financial obligations.

The fact that the Zimbabwe dollar is now worth a thirteenth of its value at independence shows how wrong Lord Trevelyan was. In spite of continuing to freeze the capital of those whites who have left Zimbabwe since independence and of denying cost of living adjustments to many pensioners, President Mugabe can still not manage to balance the books and must accept responsibility for the poor economic situation in which Zimbabwe finds itself.

Is it right that the UK should now be asked to pay for the political act of seizing productive white farms, leading to even greater problems for the economy?

Yours faithfully,
B. J. LENNOX
(President, Rhodesia Public Services Association, 1977-1980),
11 Boyne Rise, King's Worthy,
Winchester, Hampshire,
October 20.

As a vegetarian contribution to the war effort he carefully harvested a patch of lawn to add to his diet. Although he extolled the virtues of grass to us boys, as I recall he had few followers; but he did remain healthy.

Wycliffe College in those days had a vigorous regime: no food other than that provided by the school (ie, no tuck box), early morning outside PT in our pyjamas (the exercises were eponymously named "Mullers" after the German originator, confirming to us sufferers the correctness of the armed struggle) and liberal cold water. Contrary to your letter headline, much of the time we were blue and healthy.

Yours faithfully,
BRUCE V. JONES,
Down Ampney House,
Down Ampney,
Cirencester, Gloucestershire.

with the midnight mass; and Christmas lasts forever.

Sincerely,
K. W. CLINCH,
Brae Cottage,
193 Hastings Road, Bantle, Sussex.
October 13.

From Mrs A. C. Gibson

Sir, As the owner of a small firm which sends out business calendars to its clients, I have been invited today to order (and pay for) our 1999 calendars. I know from past experience that most Christmas stock is ordered in the early months, delivered in July and must be paid for by the end of August (ie, within 30 days). So new stock may as well be put on display immediately in the hope that some early sales will help the cash flow to pay the bills.

Always intending to do the Christmas shopping early, in order to relax and enjoy the season, I spend so much time thinking about it that there is a last minute rush anyway.

So here's a New Year Resolution: Merry Christmas!

Yours sincerely,
A. C. GIBSON,
3 Cedarway, Wilmslow, Cheshire.
October 13.

Letters that are intended for publication should carry a daytime telephone number. They may be sent to a fax number — 0171-782 5046. e-mail to: letters@the-times.co.uk

6,000 years ago, on this very day

From Mr Richard Butterfield

Sir, There are just over two years to go before we celebrate the millennium, but October 23 this year is a millennial landmark, as 6,000 years have passed since that day in 4004BC, which my nine times great-grand-uncle, James Ussher (1581-1656), who became Archbishop of Armagh in 1625, calculated was the day of Creation.

As Ussher was working with the Julian Calendar as opposed to the Gregorian, which had been introduced on the Continent in 1582, I suppose we should make a ten-day adjustment to November 2, but that now seems somewhat academic in the light of the geological timescale's pointing to an age of the Earth of over 4,500 million years.

Although ages of a few thousand years are only likely to appeal these days to biblical literalists, we should not deride Archbishop Ussher, as people in the early 17th century had no real concept of geological processes, let alone geological time. So perhaps one may raise a glass to the good Archbishop's memory.

I am Sir, your obedient servant,
RICHARD BUTTERFIELD,
Old Forge Cottage,
14 High Street,
Huntingford, Cambridgeshire.
October 20.

Modern violins

From Mr Terence Pamplin

Sir, Lord Menuhin (letter, October 17; see also letters, October 21) is quite right when he says that there are a number of fine violin makers in England today.

This was recognised recently with great generosity by Michelle Jenkins, the widow of the well-known violinist Tom Jenkins. She has endowed a valuable award to be presented annually in memory of her husband to violin and viol-making students at London Guildhall University. The award will be presented for the third time this year. In 1996 Mrs Jenkins made awards to a violin and a viol maker.

The standard of English viol making has seldom been better than in the 1930s, but then we were pre-eminent in this area of instrument making in the 17th century, as the Italians were pre-eminent in violin making at the same time.

The money for the Jenkins Memorial Awards was gained from the sale of Tom Jenkins's Stradivarius violin: a case of the old and valuable helping the new makers of today.

Sincerely,
TERRY PAMPLIN
(Reader in musical instrument technology),
London Guildhall University,
Sir John Cass Faculty of Arts,
Design and Technology,
41 Commercial Road, E1,
October 17.

From Señor Ernesto Aguirre

Sir, Reading today your report about tonight's match between Aston Villa and Athletic de Bilbao, I see with surprise that you call Bilbao airport Legados, when that is the Spanish word for Arrivals. The real name of the airport is Sondica.

Yours sincerely,
ERNESTO AGUIRRE,
Fuente del Berro 18,
Madrid 28009.
aguirre@tdi.ibernet.es
October 21.

Lost in translation

From Señor Ernesto Aguirre

Sir, Reading today your report about tonight's match between Aston Villa and Athletic de Bilbao, I see with surprise that you call Bilbao airport Legados, when that is the Spanish word for Arrivals. The real name of the airport is Sondica.

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aguirre@tdi.ibernet.es
October 21.

THE TIMES

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BUSINESS EDITOR Patience Wheatcroft

THURSDAY OCTOBER 23 1997

Prices prove highly volatile Traders blame new system as shares slump

BY OUR BUSINESS STAFF

THE new electronic trading system was blamed for a turbulent session that produced a 133-point turnaround in the FTSE 100 index yesterday.

Fund managers were reluctant to use the new computerised system that matches buyers with sellers. The absence of liquidity leads to sharp fluctuations as the spread between the bid and offer price grows.

In the space of an hour yesterday, the FTSE 100 index plunged from being 42 points down to 100 points down, before swinging back to close down 77.1 at 5,148.8. The index had started the session almost 32 points up.

The new system was designed to lift volumes by reducing the spread between bid and offer, which is where the market-makers traditionally make their money. But the lack of volume has had the reverse effect, with share price movements in many cases unjustified by the number of shares traded. In contrast, the FTSE 250, which trades under the old wholesale system, closed just 2 points lower at 4,916.6.

Sentiment in the City was that the new system was not supposed to do this. There was no liquidity, volumes were lower and spreads were wider. Jeremy Batstone, head of research at NatWest Stockbrokers, said: "My personal view is that we probably came within a hair's breadth of

a disorderly market this afternoon. It was the first time since the order-driven trading system was brought in that the system has come under serious pressure. It was unable to cope with the volumes."

Share prices were extremely volatile, fluctuating unpredictably for no apparent reason. Mr Batstone said the spreads between buying and selling prices had in some cases widened from less than 1 per cent to 2 per cent within minutes. He said private investors were bemused by the rapidly changing prices.

He added: "It's extremely concerning. We were down over 100 points at one point, but there was no sense of reality. There was so much volatility."

Renewed worries about the Government's stance on European monetary union produced the heaviest day's trading since the system was introduced on Monday, with 801.8 million shares changing hands. Worries about the strength of the pound meant that companies with substantial international exposure, such as engineering and pharmaceutical groups, suffered the worst price volatility.

Many in the market put the volatility down to teething

problems, expecting things to settle down once dealers grew accustomed to the new system. Paul Kavanagh, of Killick & Co, the private client stockbroker, said: "There's got to be a case here of the market feeling its way in the first instance. Because the system allows you to move very quickly, you are seeing sudden shifts - all blue to all red. Trading strategies are being practised, and in certain cases, volumes are very low."

Mr Kavanagh said the system cut down time waiting for quotes from market-makers, and was likely to settle down as confidence in using it grew. Brian Winterlood, of Winterlood Securities, said: "It's a long learning curve. There has been a big tail-off of business in the last couple of days, but I'm sure it will pick up. This is the future."

The turmoil accompanied the publication of new figures showing high street sales suffered the biggest monthly fall for six years in September. Retail sales fell by 1.9 per cent compared with August, while the annual rate of sales growth slipped from 5.4 per cent to 3.7 per cent.

The Office for National Statistics said that a market fall-off in windfall spending and slow sales during the week of the funeral of Diana, Princess of Wales had caused the slowdown. Total sales were about £250 million lower than in August.



Mr Bean, alias Rowan Atkinson, is out to help PolyGram, the entertainment group, with the film *Bean*. The group's pre-tax profits rose 15 per cent to £38.7 million in the third quarter to September 30, while net sales grew 34 per cent to £815 million. Although the film division deepened losses from £5.8 million to £9.7 million, Alain Levy, chief executive, remains optimistic

City is left confused by proposal to sell-off CDC

BY ALASDAIR MURRAY, ECONOMICS CORRESPONDENT

TONY BLAIR revealed yesterday that the Government would partially privatise the Commonwealth Development Corporation, but left the City - and the CDC - confused as to how and when the sale will take place.

The Prime Minister told a Commonwealth business conference in London that the Government would sell a "substantial stake" in CDC and plough the proceeds from the sale, expected to total around £500 million, back into development programmes.

He described the 50-year-old corporation as "an under-utilised asset" with "the capacity to play a much greater role in mobilising new private finance for poorer countries".

But the Government admitted later that the details of the sale - which is being heralded as the first example of Labour's much-vaunted public/private initiative - were far from finalised.

The Department for International Development said that the partial privatisation had only been agreed "in principle" after a study by BZW, the merchant bank, confirmed its feasibility. An Act of Parliament will be prepared sometime "in the lifetime of this Parliament", a spokesman said.

CDC said it believes that the Government will reduce its stake to around 40 per cent, but would maintain control through a "golden share".

Roy Reynolds, chief executive of CDC, said: "We have agreed with the Government to seek some form of partnership but lots of the details still have to be worked out." He

admitted that the announcement had come as a surprise to many of the CDC staff.

CDC, which has around £1.6 billion invested in 54 countries, has long argued for a loosening of Government ties so that it can raise private finance to fund new projects.

The corporation invests in some of the poorest countries in the world on a market-led basis, but strict Treasury borrowing guidelines have meant that it is only able to fund new investments from existing resources.

CDC suggested yesterday that it would favour a public flotation rather than a private sale as it believes a wide ownership structure will preserve its "unique" character.

"We are looking to long-term investors, who will make long-term investments," Mr Reynolds said.

CDC has recently launched a profile-raising exercise in the City in preparation for attracting private funding and to win backing for the Commonwealth Private Investment Fund, three investment funds for regions that do not have access to the capital markets. The latest Commonwealth Investment fund, to be targeted at South Asia, will be launched at the Commonwealth Meeting in Edinburgh on Saturday. CDC is providing almost half of the £75 million raised by the fund so far, but is hoping to attract sufficient private investment to boost the size of the fund to around £150 million in the next two years.

BUSINESS TODAY

STOCK MARKET INDICES		
FTSE 100	5148.8	(-77.1)
FTSE All shares	3175	(-27.36)
Nikkei	17887.81	(+477.52)
New York	7994.87	(-45.57)
Dow Jones	965.87	(-6.41)
S&P Composite		
GBP RATE		
Federal Funds	5 1/4%	(5 1/4%)
Long Bond	6.912%	(6.91%)
Yield	6.42%	(6.41%)
LONDON MONEY		
3-month interbank	7 1/4%	(7 1/4%)
Libor 6-month	11 1/2%	(11 1/2%)
STERLING		
New York	1.6338	(1.6362)
London		
\$	1.6380	(1.6348)
DM	2.9127	(2.9183)
FF	6.7827	(6.7767)
SP	2.4120	(2.4258)
Yen	197.30	(196.54)
£ Index	105.5	(105.2)
DOLLAR		
London		
DM	1.7832	(1.7893)
SP	1.4750	(1.4890)
Yen	120.67	(120.92)
£ Index	105.5	(105.2)
Tokyo close Yen 120.77		
NORTH SEA OIL		
Brent 15-day (Jan)	820.33	(n/a)
GOLD		
London close	\$323.00	(\$323.80)

Free fall
Boeing's share price went into freefall after the aircraft maker said it will make a loss in the third quarter of 1997 because of a shortage of raw materials and parts that will cost about \$2.6 billion to clear. **Page 26**

Purification
Protein, the laboratory equipment group, has agreed to a £102 million cash bid from Culligan of the US, which makes water purification equipment. **Page 31**

Resign call for board at WHS

BY SARAH CUNNINGHAM

THE WH SMITH board faced calls for its resignation and a barrage of criticism from shareholders and employees at its annual meeting yesterday.

Shareholders took issue with the board over demerger plans, the handling of the appointment of Richard Handover as chief executive and the poor performance of the company's shares.

Last week WH Smith revealed plans to demerge Waterstones' bookstores and sell its music retailing businesses after rejecting two takeover approaches by Tim Waterstone, founder of the book chain.

Yesterday Jeremy Hardie, chairman, sought to appease investors by reporting that group sales, adjusted for openings and closings, were up 8 per cent, while the main high street store has seen a marked improvement, with like-for-

like sales growth of 5 per cent.

But shareholders remained angry. One investor criticised the selection process that followed the abrupt resignation of Bill Cockburn as chief executive in the summer. He said it had been "badly handled and was enormously damaging to the company". He added: "This should be reflected in a resignation from the board."

Another shareholder said: "We do not need to get rid of any part of the business. We need someone to roll up their sleeves and get on with sorting it out."

In heated exchanges, employees of the WH Smith news distribution business, attending as shareholders, took Mr Handover to task over alleged plans to cut their wages by 21 per cent.

Yesterday WH Smith shares rose 6p to 409p. The shares traded at a 12-month high of 483p in May.

Partner's £1.7m writ for KPMG

BY JON ASHWORTH

AN AGGRIEVED former partner in KPMG is suing the accountancy firm for £1.7 million, seeking compensation for everything from estate agent's fees to the cost of fitting out his home.

Dickin Drew, who worked for KPMG in France, says it reneged on a lucrative four-year contract after encouraging him to sell up and return to the UK. In addition to £1.3 million in loss of earnings, he claims £200,000 in loss on resale of his Paris home, £27,600 in estate agent's commission, and about £5,000 in "additional furnishing" for his London home.

Colin Sharman, the KPMG senior partner named in the action, said: "I regard this as a try-on, and we intend to resist it robustly." He said Mr Drew, 56, had been employed in the UK as a consultant, on six months' notice either way.

BT-MCI meet rival bidders

FROM OLIVER AUGUST IN NEW YORK

TOP executives at BT will conduct a frenzied round of meetings in Washington today, aiming to set out plans for a three-way alliance with MCI and GTE, the two US telephone groups, as fighting off their rival, WorldCom.

Sir Ian Vallance, the BT chairman, and Sir Peter Bonfield, the chief executive, will hold the first talks with GTE and MCI in the morning, discussing how to fight off the \$30 billion (£18.5 billion) WorldCom bid for MCI. GTE has made a friendly \$28 billion offer for MCI.

In the afternoon the BT executives will hold their first face-to-face meeting with WorldCom directors.

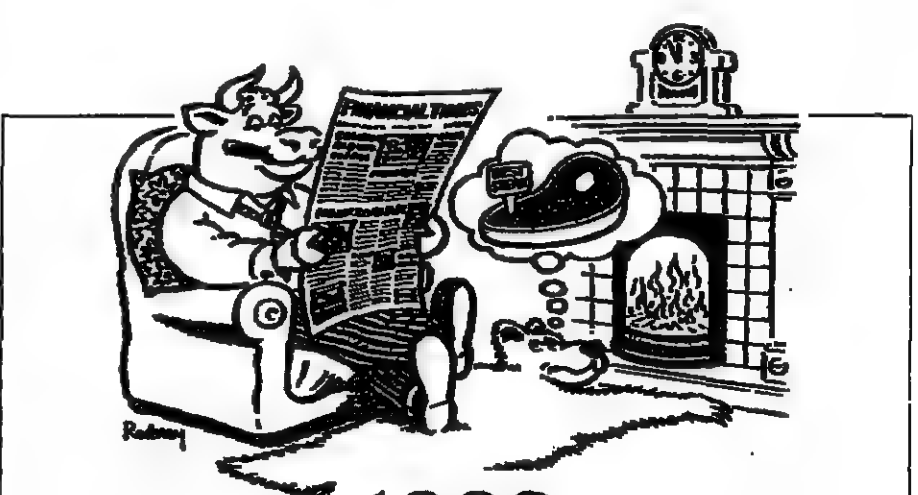
City analysts do not expect BT to warm to WorldCom suggestions that the UK group could take a 10 per cent stake in WorldCom-MCI. BT's own \$24 billion bid for MCI is being discarded after winning

a price reduction this summer on the grounds of MCI's worsening profits.

Third-quarter MCI earnings, reflecting the growing problems, will be published later today. They could have an effect on whether WorldCom will raise its stock swap offer further to counter GTE's cash bid. Analysts are expecting profits to be down from \$300 million to \$130 million.

Stuart Conrad at Deutsche Morgan Grenfell, the broker, said: "People are expecting a bad quarter. The decrease will alert people that MCI is not without problems, even in its core businesses, not just in the local markets. But it also highlights the opportunities. MCI is at the trough of its earnings now."

Warnings earlier this year that MCI's earnings could fall drew the deal between BT and MCI into turmoil, prompting WorldCom and GTE to bid.



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Buffett scoops up ice cream group

FROM OLIVER AUGUST IN NEW YORK



Buffett has a junk food portfolio

WARREN BUFFETT, America's richest investor, has bought himself some ice cream to go with his burgers and soft drinks. Mr Buffett, known as the Sage of Omaha, paid \$385 million (£350 million) to scoop up the 5,000 ice cream franchises of Dairy Queen.

Berkshire Hathaway, the investment group run by Mr Buffett, already owns a \$1.4 billion stake in McDonald's and a \$10.5 billion stake in Coca-Cola. Coke's higher than expected results this week increased the value of Mr Buffett's holding by \$250 million.

He said: "Dairy Queen will be a great addition to the Berkshire family. It is a business that I like, run by an outstand-

ing management team." Dairy Queen is the original forerunner to today's fast food giants. Over the past 57 years it pioneered many of their lightning sales techniques. In addition to his junk food collection Mr Buffett, a trim 67-year-old, also owns a candy factory.

His success as a stock picker is based on the simple premise that he will only buy a company if he understands its products. But his most hand-some recent profit came from a business that few would claim to understand fully - investment banking.

He owns 19 per cent of Salomon Brothers, the value of which more than doubled in the year before being bought by Travelers Group, the insurance company, last month. Salomon reported third-quarter profits this

week: The 47 per cent rise, to \$200 million, netted Mr Buffett a further \$25 million on paper.

Dairy Queen will become a subsidiary of Berkshire. The move to take the company off the stock market underlines Mr Buffett's view that stocks could crash soon. Last month, he turned his back on the stock market with a \$2 billion bond buying spree.

The Berkshire Hathaway fund would be one of the biggest losers if the market crashed. It has \$34 billion invested, mostly in high-profile companies. News that Mr Buffett is taking money out of stocks has scared small investors who follow his portfolio adjustments religiously. His off-repeated advice to them is: "Risk comes from not knowing what you are doing."

Best jobs will be created in the South

By Philip Bassett

BRITAIN'S best new jobs over the next ten years will be created mainly in the South, new government-financed employment forecasts show today.

While the number of jobs will rise, unemployment will not fall sharply. Women will take most of the new jobs, with self-employment among women set to rise sharply.

The forecasts of changing employment patterns come from Business Strategies, the economic research group, which has close links to the Confederation of British Industry. The estimates suggest continuing employment growth.

Total employment - self-employment plus employees - should increase by up to 1.7 million between 1996 and 2006, the study says. Women will win about two thirds of the extra jobs, although there will continue to be more men than women in work.

Self-employment is forecast to grow quickly, rising 23 per cent to 4.1 million. Self-employment will increase even more rapidly among women, jumping by as much as 36 per cent.

Part-time jobs will rise about 10 per cent, but full-time employment will be broadly stable. Unemployment is forecast to reach 5.2 per cent by 2006.



Bill Hughes, left, chairman of Grampian Holdings, the Edinburgh Woollen Mill to plant hire group, David Stevenson, his deputy, and David McGibbon, finance director, lifted interim pre-tax profits 12 per cent to £7.7 million and the payout to 2.1p

Production problems put Boeing on course for loss

By Adam Jones

BOEING'S share price went into freefall on Wall Street yesterday after the aircraft maker said it will make a loss in the third quarter of 1997 after hitting production problems that will cost about \$2.6 billion to clear up.

The Seattle company admits that it has been unable to keep up with "unprecedented" demand for new planes from commercial airlines. It has been hit by shortages of raw materials and parts - and has had to add thousands of new employees.

Three weeks ago, the aircraft giant was forced to halt production of 747 jumbos and

the latest version of its 737 jet. The stoppage is likely to last about one month.

Phil Condit, Boeing chairman and chief executive, said the company would take a \$1.6 billion (£980 million) one-off charge before tax in the third quarter to cover the cost of the attempt to bring the production line back up to speed. Third-quarter results are expected on Friday.

By the end of 1998, Boeing may face additional costs of \$1 billion before tax from the production disruption. The company hopes to have resolved the problem next year.

Boeing stock was heavily traded and the shares had

fallen about 9 per cent to below \$50 by midday on Wall Street.

Boeing received a record 712 orders for new aircraft last year and has been trying to increase production rates from 18 planes a month a year-and-a-half ago to 40 a month.

In an attempt to meet the increased workload, Boeing has called back 100 staff it laid off from McDonnell Douglas after the \$16 billion merger.

Analysts had scaled-down profits forecasts after the production halt was announced but still expected a profit for the third quarter. One Wall Street analyst said the size of the charge was a surprise, but

expressed confidence in Mr Condit's ability to turn the situation around.

Airbus Industrie, the pan-European consortium that competes with Boeing, said it was not experiencing production difficulties because of the buoyant civil aviation market.

It produces far fewer planes than Boeing - with 185 expected in 1997 - and has been able to grow relatively consistently from its smaller base, without relying on the aerospace cycle.

Boeing faced a further difficulty yesterday as Karel van Miert, European competition commissioner, ordered a check on a long-term supply contract with Delta Air Lines.

Dixons set for talks over union recognition

By Philip Bassett
INDUSTRIAL EDITOR

DIXONS, the electrical retailer and one of Britain's most staunchly non-union companies, is to open talks next week with a trade union ahead of government plans to introduce statutory union recognition.

The U-turn comes after a naming and shaming of Dixons by the TUC as one of seven companies that pursue what the unions consider an anti-union agenda. Dixons is understood to be concerned about negative publicity after being named by the TUC as part of the campaign on recognition.

Since publication of the TUC document, John Clare, managing director of Dixons, has contacted John Monks, General Secretary of the TUC, who put him in touch with the Amalgamated Engineering and Electrical Union. The move, revealed in *People Management*, the journal of the Institute of Personnel and Development (IPD), was confirmed by Dixons.

Sir Stanley Kalms, chairman of Dixons, is a strong opponent of key trade union issues such as recognition, a minimum wage, and signing the European social charter, to which the Labour Government is committed.

Mr Monks is expected to welcome the move today when he addresses the annual conference in Harrogate of the IPD. Ken Jackson, AEEU general secretary, said: "We are very pleased that Dixons is going to meet us."

Gavyn Davies and Sue Nye

FOLLOWING our article "Millions made on gilts before EMU report" (September 30), we wish to make it clear that insofar as we referred to Gavyn Davies, managing director of Goldman Sachs, and his wife, Sue Nye, who is political secretary to the Chancellor of the Exchequer, it was not intended to suggest that he had received any confidential information from her which caused Goldman Sachs to take the position it did in gilt futures.

Compliance aid backed

HOWARD DAVIES, the Securities and Investments Board chairman and head of the new super-regulator, "NewRo", has backed a new training body for compliance officers policing sales of financial products. Just days before NewRo is launched and named, he helped to launch the Compliance Institute, a self-regulatory body to help firms with ethical issues of financial selling. The body, formerly the UK Association of Compliance Officers, will offer a qualification for compliance staff of companies selling financial services.

Insurers increase sales

NORWICH UNION, the insurer that floated earlier this year, yesterday reported a 12 per cent rise in worldwide business volumes in the first nine months of 1997. In the UK, new annual premiums totalled £192 million, 17 per cent up on last year's first nine months. Commercial Union also saw strong rises in new business premiums. For the nine months, new business rose 19 per cent, to £2.3 billion. Annual premiums in the UK were 9 per cent up, at £40 million. Elsewhere in the world, annual premiums soared to £183 million from £23 million.

Mobility for numbers

ALL FOUR of the UK's mobile telephone operators have agreed to a scheme that will allow mobile phone users to keep their numbers when they switch operators. After talks with Ofcom, the telephone regulator, Celine, Vodafone, Orange and One2One have agreed to licence modifications requiring them to offer number portability from January 1, 1999. Don Cruickshank, Director-General of Telecommunications, has argued that customers are put off from shopping around for the best deal because they cannot keep their numbers.

Pringle to cut 290 jobs

PRINGLE, the Scottish knitwear company that is part of Dawson International, is to cut 290 jobs in its Hawick, Galashiels and Berwick plants. The company, which currently employs nearly 2,000 people, blamed the strong pound, which it said had cut export sales and orders for 1998 by up to 25 per cent. The company sends up to 60 per cent of its products overseas. It said the strength of sterling had meant the price of its garments on sale in Germany and Japan, two of its key markets, had risen by up to 35 per cent.

Accountants merging

MERGERS among accountancy firms are extending to the lower ranks. The London office of Casson Beckman is to merge with Baker Tilly to become the twelfth-largest firm in the UK. The new firm, to be known as Baker Tilly, will have combined fee income of about £40 million, with almost 100 partners and 11 offices. Clients include Groupe C&G, Conrad Riblat, and Creation Records. The deal was brokered by Douglas Lamball, the merger specialists. *Accountancy*, page 30

Pinault withdraws bid

FRANCOIS PINAULT, the French financier, yesterday withdrew his hostile offer for Worms & Compagnie, leaving Italy's Agnelli family in the front line of the battle for control of the French conglomerate. M Pinault said he could no longer afford shares that have been driven higher by a series of bids involving Worms, Generali, the Italian insurer, AGF, the French insurer, and Agnelli. The Somme unit of the Agnelli-controlled IRI Holding said it would maintain its friendly offer made with AGF.

Dunkin' Donuts deal

WATSON & PHILIP, the convenience store and food services group, has signed a franchise development agreement with Dunkin' Donuts, part of Allied Domecq, to open and operate outlets throughout the south of England. It already sells the Dunkin' Donuts doughnuts in some Midlands and Scottish stores. The doughnuts will be supplied to more than 150 of Watson & Philip's Alldays convenience stores. Alldays also plans to open stand-alone Dunkin' Donuts shops.

Price war is no game

NINTENDO and Sony, the Japanese electronics groups, are to stage a price war in the UK computer games market at Christmas. Yesterday Nintendo dropped the price of its 64 computer console to £99.99 after Sony's decision last week to offer a "Value Pack" of console, memory card and second controller for £129.99. The prices are about two thirds of those at which the consoles were sold last year. Nintendo has also cut the price of many games. Sony claims to outsell Nintendo by four to one.

Cookson growth in US

COOKSON GROUP said earnings for the year would be in line with expectations and indicated that the interim dividend to be paid on December 2 would be a foreign income dividend with no scrip alternative. Cookson said that underlying sales growth in electronics was being sustained with growth in the US, while markets in Europe remained flat. Cookson's Mathey Ceramics is still suffering from a difficult market in zircon, but advanced refractories are still enjoying high demand.



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Italy Lira	19.2	17.4
Japan Yen	3.08	2.83
Netherlands Gld	480	444
Portugal Esc	13.51	12.31
Spain Ptas	168	158
Sweden Kr	1.17	1.08
Switzerland Fr	5.11	4.48
Turkey Lira	2026	1877
USA \$	212.93	195.10
Malta	0.674	0.618
North Macedonia Gld	3.478	3.183
New Zealand \$	2.77	2.53
Norway Kr	12.45	11.81
Portugal Esc	308.58	287.50
S Africa Rd	9.43	7.47
Spain Ptas	257.28	238.59
Sweden Kr	13.38	12.28
Switzerland Fr	2.98	2.36
Turkey Lira	30826	28716
USA \$	1.743	1.600

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Don't blame the Diana effect



COMMENTARY
by our City Editor

Almost immediately after the death of Diana, Princess of Wales, a publicity-seeking economist issued a bulletin declaring that the tragedy could lead to lower interest rates in the UK. He stopped just short of saying that the legacy of the People's Princess would be cheaper mortgages for the populus but that was the thrust of his argument.

Yesterday, the Government's retail sales figures provided a hint of official vindication for the theory. But if their effect is to dissuade the next month's meeting of the Monetary Policy Committee from upping interest rates, only a fraction of the credit should be apportioned to the memory of Diana. While mourning may have depressed sales, rather more prosaic factors such as the weather and a drying up of windfalls probably account for rather more of the fall off in consumer spending.

Retail sales certainly slowed down in September, but though it is interesting to note that the total was 1.9 per cent below the August figure, this is not hugely relevant. Far more important is how September 1997 looked compared with September 1996 and the answer is 3.7 per cent up. That is a promising sign, but the rate of growth remains steeper than inflation.

Given that windfalls have stopped tumbling from the branches of demutualising building societies and a series of interest rate increases will now

be taking their toll, consumers will have had less to splurge last month. For clothing and footwear sales, a prolonged cold snap would have been a happy encouragement to spending.

The Diana effect, although a useful new line for those retailers who perennially blame the weather for disappointing sales, is likely to have been the smallest component in the £250 million of distortions that the Office of National Statistics divined. Most shops closed for half a day, but many purchases would have been postponed rather than cancelled. Some depressed souls might even have been tempted to indulge in a little retail therapy. The mail order company which is claiming to have lost two major shopping days — the first Sunday, when Diana died, and people were focused on their televisions not their catalogues, and the second when they were too upset by the previous day's funeral to contemplate placing an order — will at least only be able to use that excuse once.

What the sales figures really indicate is that the consumer boom has cooled and the Monetary Policy Committee does not need to turn another twist on the interest rate ratchet.

Such news would not normally have sent the stock market into a tail spin but yesterday we saw the magnifying effects of the new order driven trading system. Its launch on Monday was a triumph but as volumes built yesterday, the new era took on more worrying perspectives. The tendency to over-exaggerate is not restricted to economists and share dealers will have to keep a sense of proportion as they learn to live with the new system.

Lilley missive tests regulator nerves

The Shadow Chancellor's request for an investigation into apparently unusual trading on the days before two dramatically price-sensitive press reports on Britain and the single currency appears to have been greeted by the Securities and Investments Board rather like a stink bomb lobbed through

the classroom window. SIB not only refused to say whether it was prepared to respond to Peter Lilley's request but also declined even to say whether it is the appropriate regulator for the matters brought to its attention.

Either it is or it isn't. Either the Shadow Chancellor sent his letter to the right people or he has made an ill-informed mistake. Given that Mr Lilley has a City background, and is generally regarded as one of the most intelligent members of the Shadow Cabinet, the latter seems rather unlikely.

The Bank of England, the other recipient of the Lilley missive, would say no more than that it is considering its contents but at least it had the grace not to try to pretend that the issues raised are none of its business.

Whether Mr Lilley manages to provoke some action from either institution remains to be seen. But, having had rather a quiet first few months as Shadow

Chancellor, he is quite determined to make hay while the Treasury is frazzled and on the defensive for the first time since the general election. He has also asked the Treasury Select Committee to address the issues he has raised and is intending to put down parliamentary questions as soon as the Commons returns from its long summer hols.

There is little doubt that the impact on the financial markets of successive contradictory leaks and briefings on single currency policy is a matter of the most urgent public interest. The ramping up and down of the markets over the past few weeks, and suspicions about trading that appeared to pre-empt key press stories remain the number one talking point in the City.

Mr Lilley's letters may be a source of considerable embarrassment to the regulators. SIB is about to enjoy a huge expansion of its powers courtesy of this Government. The Bank has had

its differences with the Treasury over the loss of its supervisory role but it would not want to exacerbate tensions by turning investigator. Nevertheless, it is incumbent on both organisations — not to mention the Treasury Select Committee — to be seen to hold the Government to account as much as they would a private individual or institution.

Flying in the face of commonsense

Down-sizing can be dangerous. That is the inescapable message from Boeing where its streamlining has slurred down the workforce to proportions more akin to Concorde than a jumbo jet.

The result of the over-zealous job cuts has been near chaos, lost orders and a bill for nearly £1 billion as it tries to bring its workforce back up to speed. The company is not alone in having to face the indignity of being forced to try to re-employ those with whose services it has so recently dispensed, but the scale of Boeing's problems is extraordinary. Given that the company is still trying to shake down comfortably after its \$16 billion

merger with McDonnell Douglas, there are understandable fears that a management which has gone so badly wrong already now has scope to multiply its mistakes.

The saddest aspect of the debacle is that Boeing has the right products, winning a record level of new orders last year. Failure to meet those orders on time, apparently inevitable, may well prompt customers to look elsewhere in the future. This should be good news for Airbus as it heads, slowly, towards incarnation as a single corporate entity and eventual flotation.

But the company will need to guard against the Boeing mistakes and perhaps a first step towards that would be to eschew the advice of those consultants who are so expert in the art of down-sizing but so lacking in the creative ideas which can win business and create jobs.

Financial wizardry

FRESH from taking BAT to Zurich, Earl Cairns is now faced with the challenge of turning the Commonwealth Development Corporation into a semi-private operation. Since the Government seems vague about quite how it intends to deal with CDC, the corporate finance wizardry the pipe-smoking chairman adopted in his days at Warburg should be useful in devising a way to make CDC look irresistible to investors.

Hilton rules out bid for Ladbroke

By OLIVER AUGUST IN NEW YORK AND DOMINIC WALSH

HILTON Hotels Corporation (HHC), the US hotel and gaming group, has ruled out a bid for the UK's Ladbroke Group, in spite of failing to acquire ITT, owner of the Sheraton chain.

Speculation that Hilton could try to capitalise on its existing alliance with Ladbroke had driven Ladbroke shares above 300p this week. However, Steve Bollenbach, HHC's chief executive, has told Wall Street analysts that he is not planning to make another big acquisition and may instead buy back shares.

Hilton will also try to pick off single hotels that could consolidate its position in the US. Mr Bollenbach confirmed that he will not raise his \$11 billion bid for ITT after Monday's \$13.3 billion white knight offer for it from Starwood Lodging.

Most UK analysts have also ruled out a play for Ladbroke, saying that the alliance forged by it and HHC a year ago reunifying the Hilton brand would produce most of the

benefits without the huge cost of a bid. One added: "Bollenbach has said all along that he is interested in buying into hotel and casino real estate in the US. Buying Ladbroke does not satisfy those criteria. It simply isn't going to happen."

Another London-based analyst said: "I think what you'll see is HHC and Ladbroke eventually moving towards a merger, possibly in three to four years' time, after the benefits of the alliance have been fully exploited."

In keeping with the nasty atmosphere that has surrounded HHC's bid for ITT, Mr Bollenbach yesterday likened Starwood to an "ugly girlfriend" on a shopping spree with "Monopoly money". Starwood is to pay 80 per cent of the \$13.3 billion with its own stock, which has proved volatile.

Although HHC's bid will technically stay open to be voted on at ITT's annual meeting on November 12, Wall Street analysts say it is doomed.

Tempos, page 28

Care First receives approach

By PAUL DURMAN

CARE FIRST, the nursing homes company recently hit by boardroom rows, has received a takeover approach.

Shares in the company jumped from 115p to 138p, valuing it at £220 million. City rumours suggest the approach to Care First comes from outside the industry.

This was being taken to mean Bupa, which has just bought Goldsborough for £76.7 million, or perhaps Norwich Union. Another possibility being touted was that the approach comes from the management team backed by a financial bidder, such as Nomura, or a private equity firm.

Chai Patel resigned as Care First's chief executive in August after a breakdown in his relationship with Keith Bradshaw, the chairman. Some angry institutions considered pushing for Dr Patel's reinstatement but eventually decided to back down.

Tempos, page 28

Float plan for Virgin Express

By ARTHUR LEATHLEY

VIRGIN EXPRESS is preparing to launch low-cost airline routes into Britain from Brussels after its £130 million flotation.

Richard Branson's return to the stock market, almost ten years after he bought his company back saying investors did not understand him, was announced to Virgin Express staff in Brussels yesterday.

The dual share listing in New York and Brussels aims to raise £60 million to pay off debt and buy aircraft to expand the service to four new British airports.

It is expected that shares will begin trading by the end of next month.

Mr Branson, who will chair Virgin Express, took his Virgin group private in 1988 but Jonathan Ornstein, Virgin Express chief executive, said: "Access to public markets is essential for airlines. Requirements have changed over ten years."

Talk Radio contests BBC soccer rights

TALK RADIO, the national commercial speech station, is to contest the BBC's rights to exclusive radio coverage of Premiership and World Cup football games. (Raymond Snoddy writes).

The station, controlled by CLT-USA, the European broadcaster, wants to be able to compete with the BBC's Radio 5 Live by broadcasting games not featured live on Radio 5.

Paul Robinson, Talk Radio general manager, has already persuaded the BBC to allow it to broadcast Nationwide League games. The BBC rarely

by broadcasts Nationwide games when Premiership teams are playing.

If the BBC does not agree to what, in effect, would be sub-licensing deals Mr Robinson plans to raise the issue with Chris Smith, the Culture, Media and Sports Secretary.

The battle for football rights is part of Talk Radio's plans to gradually extend its audience. The latest official listening figures for the third quarter are expected to show that the station has increased its weekly reach from 2.3 million to close to 2.5 million.

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Gordon Brown's next elephant trap



After EMU — taxes. Next month, Gordon Brown will have the chance to expound a coherent tax strategy in his "green" Budget. Understandably, the Chancellor's top tax priority was to avoid losing the election over it. But that will hardly do for a five-year haul. The omens so far are not good.

In the late 1970s, the most coherent new idea was to replace income tax with an expenditure tax, making net savings tax deductible. It never flew, because tax rates would have to go up and were then already sky high. It looks a better runner now, but does Mr Brown want to encourage savings per se? So long as we keep the pound, the nation's savings rate is important, but if he takes us into the euro, it does not matter.

In the 1980s, the Tories had twin strategies, linked by the desire to stop tax-drowning economic incentives. A switch in the burden of tax from income to spending helped bring about an ever more malignant side-effect. Annual welfare spending has put on billions to help

those on low incomes pay the VAT. Nigel Lawson's better idea was to sweep away tax allowances so that low rates could be levied on a wide base. Legacies include a low corporate tax regime and much lower marginal taxes on middle and higher earnings. Reform ran out when Lord Lawson eyed pension relief hungrily. After the odd bite, Lady Thatcher said no.

One of Mr Brown's first acts was to scoop £5 billion a year out of pension and PEP savings to fund state consumption. Was this the start of a campaign to demolish tax breaks on savings or just a cynical and counter-productive grab? We should soon discover.

Logically, given the Government's tax promises and spending priorities, Mr Brown's strategy should aim to tailor the tax system to minimise welfare spending. This requires subtlety. It will not be easy. There is no chance, for

instance, of putting up income tax rates to pay for cuts in VAT.

A much higher start level for income tax would bring the biggest gains. Stopping tax and national insurance from low incomes, then handing out benefits to pay the tax, is ludicrous for other taxpayers, degrading for poor families and lousy for incentives.

If policies on these fronts are to be coordinated, you cannot justify income tax on less than a forty-hour week at the minimum wage. If the minimum hourly wage is £3.50, that implies a basic annual allowance of £7,280, against this year's £4,000. Allowances for a single-earner family with children should top £10,000.

Such reforms eat up a lot of tax. They could only be made by raising rates higher up the income scale, which Mr Brown has forewarned. The best hope is 10 per cent tax on a thin band of income, paid

for mainly by those whose income is near to the 40 per cent threshold. Failing that, the tax system could help us all to build up enough funded pension rights and other savings to keep out of the state benefit net later on. That is the object of the promised stakeholder pension, even if only the name yet exists. It also informs the equally sketchy individual savings

account (Isa), which aims to encourage long-term saving by "building on" Peps and Tessas. Unless leaks, hints and reports from the coalface are misleading, Mr Brown is courting trouble here. The Treasury seems bent on cutting tax incentives for the long-term saving it wishes to promote. Savers have no constitutional right to tax breaks. These have to be paid for via other taxes. But you cannot then expect people to lock up their money in schemes that are unattractive without tax breaks.

This is clearly true of pension schemes, unless an employer funds them and guarantees the result. Few would want to tie up their money until retirement and then have to exchange it for an inflexible, perishable annuity unless contributions are deductible and returns roll up tax free. Mr Brown axed dividend benefits in July and may tidy up by abolish-

ing advance corporation tax altogether. Any reform of capital gains tax threatens to bring all funds into the net but relieve gains on all long-term investments.

There is already talk of restricting tax relief on contributions to the "standard" rate, however that is defined. You can see the sense of restricting tax subsidies to the wealthy. But any potential saver will reckon, on experience with interest relief and married allowances, that this would be a first step to ending relief on contributions or limiting it to Mr Brown's 10 per cent starter rate. Fear Lilley, for the Tories wanted to see contribution relief to finance a new funded amalgam of the basic and state earnings-related pension.

Stakeholder Pensions, Labour's Seps-plus replacement, will therefore probably be compulsory. But pensions earned will not be big enough, especially after Mr

Brown's dividend raid, for him to ignore what happens to private pensions. Over ten years, the Stakeholder Pension may well become a ceiling, not a floor, as employers close guaranteed schemes to new entrants and employees favour firms that give them cash up front.

Isas too are aimed at those on modest incomes, but would presumably not be compulsory. They seem unlikely to flourish if they offer lower tax breaks than Peps, which is already certain, and a longer lock-up period than anything but Tessas. Those struggling to save a small amount should sue anyone who advises them to tie it up for years without good reason. Treasury officials should advise the Chancellor that the Peps scheme he now thinks too generous was a failure until its rules were relaxed.

We shall still save, but probably save less and favour land and other enjoyable assets more. The Chancellor needs to rethink tax reform fast to match incentives to tomorrow's priorities. Another elephant trap awaits.

Sell-off plan propels obscure development arm into limelight

The CDC must build on its Third World success, says Alisdair Murray

The Commonwealth Development Corporation is not used to spending time in the limelight. Tucked away in a forgotten annex of the Foreign & Colonial Office, the CDC has spent most of its 50 years of existence quietly pursuing its mandate to supply market-based funding to business development projects in the Third World.

But Tony Blair's announcement yesterday that it is aiming to partially privatise CDC has radically altered the corporation's profile. CDC suddenly finds itself not only at the centre of the Government's overhaul of development policies, which will culminate with the first Department of International Development White Paper early next month, but as the trial run for the much-vaunted public/private partnership initiative.

The announcement was a classic piece of Government news management. Mr Blair needed a concrete proposal to flag the Government's commitment to development ahead of this week's Commonwealth Heads of Government meeting in Edinburgh. But with almost all the details yet to be fleshed out, the proposal came as much of a surprise to CDC staff as to the mystified media, many of whom had never even heard of the organisation.

CDC — and the Government — face the dilemma of how to reconcile the organisation's development ideals with its desperate need to attract private capital. Although the corporation only invests on a market-led basis, the absence of private shareholders has allowed it the luxury of ploughing money into areas where the private sector fears to tread.

At present CDC has £1.6 billion invested in some 400



Tea-pickers at the Rwenzori company in Uganda where CDC acquired a controlling stake in six estates in 1994

projects in 54 countries worldwide. Its investments range from telecoms in Kalimantan, Indonesia, and sewerage in Liberia to a cattle ranch in Vanuatu. It also supplies expertise — directly managing around 25 projects and providing support for other investors through its 25 offices worldwide. Last year, CDC made a profit of £97 million and achieved a credible 8 per cent plus return on investments.

Treasury borrowing rules, however, have prevented CDC from capitalising on its success. The organisation has been entirely self-financing for the past two years, relying on profit flow and the sale of existing investments to finance new investments.

CDC has long made no secret of its desire to be freed from this financial straitjacket. The partial privatisation on offer appears the quickest route: allowing CDC to raise new funds but preserving a Government link to prevent a watering down of its development mandate.

The Government's commitment at this stage is no more than to sell a majority stake in CDC, once the necessary legislation has been passed, "sometime this Parliament". It seems likely that the Government will sell down to around 40 per cent, but maintain a "golden share", which ensures that it preserves ownership. Exactly what form the sell-off will take has yet to be decided but CDC

any of the many City-based emerging market funds, is to ensure a broad share ownership.

"We are interested in long-term shareholders who want to make a long-term investment, not shareholders in for a quick privatisation killing who sell out after two years," he says.

CDC is keen on winning some support in particular

the post-privatisation structure is right. He says: "We want to create profitable businesses that are fully sustainable. As these countries become richer, so will our shareholders."

Mr Reynolds is understandably reluctant to divulge how much and what kind of private finance CDC is looking to raise when so many questions about its future structure remain unanswered. But he freely admits that CDC is aiming for a growth rate of between 10 per cent and 15 per cent a year and needs the money to back this ambition.

He is also confident that the influx of private capital will help CDC to fulfil its desire to move away from loan-led investments towards building up equity stakes. At present around 75 per cent of CDC finance is tied up in loans but the aim is to reduce this to 30 per cent in the coming years.

"This has changed the sort of finance we require. We have to bridge that funding gap," Mr Reynolds says.

CDC has recently launched a profile-raising exercise in the City and is organising an investment conference for fund managers in Edinburgh tomorrow. It believes that the introduction of private shareholders will ensure that it develops the credibility necessary to raise finance more easily.

"City interest will grow if we have private shareholders. As a long-term player in these markets we will be able to attract other investors," Mr Reynolds says.

CDC also hopes to draw in the private sector via a third round of specially designed investment funds targeted at regions without stock markets and which are desperately short of long-term capital. A £17 million fund has already been launched for the Pacific Islands and \$64 million raised for investment in Sub-Saharan Africa. But the third, and largest fund to date, is due to be launched at the Commonwealth Heads of Government meeting on Saturday. CDC has provided around £35 million of seed capital for a £70 million investment fund to be targeted at South Asia.

Mr Reynolds sees these funds as an important step forward but complementary to CDC's existing businesses. "We will invest alongside the funds and remain committed to our other projects," he says.

The risk remains that the private sector will shy away from supporting a still public sector-controlled organisation, which invests in some of the world's most volatile countries. CDC will have to battle to sell the City the message that its strength lies in its expertise and the wide range of investment. Recent market turbulence in South East Asia has hardly helped, although CDC is quick to point out that only 20 per cent of investments are in the region. It will also need to convince the City that its long-term investment horizon — it normally aims for a duration of five to ten years — can ensure that it rides out market fluctuations.

Mr Reynolds accepts that the battle is only half won. "We do not underestimate the need to keep changing," he says. But if the Government plans do finally take shape, CDC will be able to celebrate its 50th anniversary next year with a new lease of life.

6 We want long-term shareholders wanting a long-term investment

clearly favours a stock market flotation.

Roy Reynolds, chief executive of the CDC, says: "It would be good to have small private shareholders involved. What we do not want is to be taken over by a merchant bank." He believes that the only way to preserve the organisation's "unique" character, and prevent it from quickly coming to resemble

from institutes with pension funds, who are seen as potential investors. "We have a different risk and reward structure to most investment funds but a lot of pension funds will be attracted by our long-term perspective," Mr Reynolds says. It is his view that there needs to be no contradiction between CDC's development ideals and private backing, providing that

Sachs of loot

TWENTY-FOUR City high-fliers are that little bit closer to seeing those magic six balls come up after being made managing directors of Goldman Sachs. This newly created post is a notch below partner, but they can still expect to be millionaires before Christmas when the annual bonuses are paid. Ten of the new MDs are Brits, and five other UK nationals were elevated at Goldman offices abroad. The lucky few in London include Charles Bott to investment banking, Tim Bunting in capital markets and Michael Burton on the fixed-income side.

Goldman says: "Being made a

managing director is meant to be a signal that people are on track to make partner." But the best may yet come. Many expect a flotation in the next few years, yielding partners many more millions each. And I am definitely in the wrong job.

● I FEEL a twinge of guilt. The Catholic Herald reports that the tiny Catholic Building Society has lost the services of Chris Jones, its chairman, after something I wrote. Mr Jones, as well as chairing a society that is a supporter of the Cairngorm Demutualisation Investment Trust which helps investors to profit from future demutualisations, an apparent conflict of interest which I highlighted. Francis Higgins, the Catholic's managing director, is quoted as confirming Mr Jones's departure. He is not returning my calls but has attacked my report as "pretty vicious" and "a thinly disguised attack on the integrity of a man who is truly professional". This seems a little un-Christian, but I will turn the other cheek. Still, it ranks. Only "pretty" vicious?

Talk is cheap

ED CARTER, the American marketing guru who invented BT's "It's good to talk" campaign, prefers, it seems, a



more direct form of communication. Carter was "out of the country and unreachable" yesterday as stories circulated that he has been banned from BT's offices after a second incident where he used his lift 5in frame to make his point. Earlier this year Carter hit Jeremy Miles, the account director at Abbott Mead Vickers, BT's advertising agency. Nothing wrong with hitting an ad man, you might think; but Andrew Robertson, AMV's managing director, tells me that if one of his staffers had hit another, they would have been sacked immediately. In this case "any action will have to be taken by BT".

Now it emerges that BT is investigating an incident when Carter man-handled Stephen Burr, a BT financial controller. Though BT would not confirm this, a spokesman admitted

"Our marketing strategy is discussed enthusiastically, and Ed Carter contributes in a vigorous way." Mr Carter might care to note that I am shortly departing for several months' holiday in Tibet.

Slipping away

AS PROCTER & GAMBLE, the deeply conservative US soap powder group, unveils its radical new advertising campaign, I notice that the man responsible for this is not hanging around to see what the client makes of it. P&G has been persuaded to feature the cream of new British art — no, that looks wrong, make that the curdle of new British art — on ads for its Oil of Ulay cream. John Hardie, in charge of cosmetics and toiletries in Europe, has just been made ITV's marketing and commercial director — on the very day that the new ads go on display at the Institute of Contemporary Arts. Rumours that the next campaign will feature Damien Hirst on the restorative properties of formaldehyde are being staunchly denied.

● YESTERDAY was the fourth anniversary of the peace settlement between Tiny Rowland and the Fayeds. I only mention this because Rowland's many court actions against Diester Bock, the man who threw him out of Lorrio, are still chuntering through the courts, so no peace process there. Tiny was due at the High Court on Monday but cried off through illness. He is back there

again tomorrow week to sue Bock for £1.5 million in claimed dividends, but somehow I do not think this will be the end of the matter.

Doublespeak

HOW people forget. Martin Taylor, who runs Barclays Bank and sits on the board of WH Smith, was criticised by a Smith's shareholder yesterday for the way the appointment of Richard Handover was fumbled — Taylor was in charge of the panel that recommended him. "I think it is a shame that such a meal was made of the story by the press," said Taylor. Who, of course, once worked for Reuters and the Financial Times.

MARTIN WALLER



Taylor: has forgotten his roots

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ACCOUNTANCY

The shape of CGT to come

The much-feared capital gains tax needs reforms that make it simpler, not fiercer, John Whiting argues

Next month may see, in a "green Budget", proposals for a revised capital gains tax (CGT). Submissions from interested parties have been invited. And while some may feel the ideal submission consists of two words — scrap it — one suspects that what is being contemplated is a revised tax, not an abolished one. What, then, should be under consideration?

The £1.3 billion that CGT raised from individuals and trusts (companies pay via corporation tax) this year represents barely 1 per cent of the Inland Revenue's annual take. It is a notoriously complex tax, expensive to administer. But I accept that you cannot do without some form of CGT. Without it, taxpayers would try to argue that income they have realised is a capital gain — hence, not taxable — rather than an income-taxable receipt. This happened in the Fifties before CGT.

So, in essence CGT, is anti-avoidance and should be treated as such, rather than as a revenue-raising measure — because revenue that is raised will potentially come from capital that would otherwise be available for investment. The current CGT system has useful

reliefs in line with this theory, reinvestment relief, rollover relief, main private residence. Most CGT comes from shares, with property (second homes etc) next. There is an argument that shares should not be subject to a gains tax. After all, the money invested has probably come from taxed income, and income produced by the investment will be taxed. But the argument for CGT as anti-avoidance remains and leads us to a measure that taxes short-term gains. Thus any quick buying and selling of shares could come into the tax net.

If this is accepted, it leads to a short-term tax that implies no indexation. Probably the simplest way is to count the "gain" as income and tax accordingly. There would be no small gains exemption. The corollary is that there should be relief for losses against income. That, I fear, will stick in the Revenue's throat.

Can a tax incentive behaviour? It probably does, at least at the margin. So if the Government wants to encourage long-term investment, the tax system should reflect this. A simple system could be:

- asset held under six months
- asset held six to 24 months
- asset held 24 to 36 months
- asset held 36 months or more



John Whiting says CGT is not just about raising revenue

— tax as income, usually at 40 per cent;
— asset held six to 24 months — income tax at 20 per cent;
— asset held 24-plus months — no tax.

There would have to be some exemptions/reliefs for "voluntary disposals", eg, takeovers and compulsory purchase, but many other reliefs would drop away. I

ed appropriately, any tax would be deferred. That could sweep in reliefs on takeovers, principal residence, demergers. It would not cover retirement disposals and it would falter when people moved from a large house to a smaller one when the children left home. Perhaps the principal residence exemption should continue. But this general reinvestment relief should extend to buying a second home for letting.

In any event, we need the small gains exemption in terms of proceeds, not gains. Why make people work through all the sums to see whether they qualify for a small gains exemption?

Perhaps my ideas would cut tax revenue. But does that matter, given the sum involved in the context of total tax revenues, and the potential benefit to the investing community? CGT is a tax that is feared and its top rate of 40 per cent is the highest in the EU.

This over-complex tax needs radical reform to stop it becoming totally unworkable. But I fear that reforms being considered will concentrate on raising more tax from the system. That is the wrong way to proceed and run the risk of damaging more than just the wealth of those taxpayers who pay it. It would damage the general health of UK plc.

The author is a tax partner with Price Waterhouse

Whose interests does going global serve?

IT TOOK the world's favourite airline — and you don't get much more global — to identify the paradox at the heart of the latest effort at a mega-merger among accounting firms. "I wasn't aware that they couldn't cover global business," said Derek Stevens, finance director at British Airways, on the day he heard that Ernst & Young, his firm of auditors, was seeking a merger with KPMG.

People, and particularly clients, are unforgiving when their accountants start spouting words of old flame. They expect them to be fallible like all the old traps of flashy and ego-driven management. The accounting firms have been here before. In the great swirling boom of the mid-1980s Touche Ross, as the firm then was, moved its headquarters into marble palaces above Goldman Sachs on Fleet Street. "Why not?" was the argument. "We don't have to live in a cardboard box just to impress clients. After all we are successful as they are." Then came the recession. Touche is no longer in such marbled halls.

KPMG was his auditor. He will tell you that a "very small minority" of 100 Group finance directors believe that the global arguments are justification for the proposed mergers. The overwhelming majority of finance directors, he argues, deplore the idea of reducing the "Big Six" firms down to three or four. He talks of "severely depleted competition". He says that "international transactions could stumble across conflicts of interest on a regular basis". And crucially he argues that "there are advantages in global reach for an audit firm, but for other services like consultancy or corporate finance, for example, there is no need for global reach".

As Derek Stevens put it: "I'm not convinced it is more about protecting themselves than improving their services." This is the argument that the large firms have to address. When you have the sort of concentration of clients that they would have post-mergers, then trying to make any of them feel special, or particularly loyal, will be difficult.



ROBERT BRUCE

So, despite the blunt words and charm from Colin Sharman, who stands to become the worldwide chairman of the combined firms of Ernst & Young and KPMG, people will be sceptical. He is well aware of this. He spoke at a conference in the Irish Republic just after the announcement that Price Waterhouse and Coopers & Lybrand were attempting a merger. He put his finger on the embarrassment that the desperate efforts at justifying the merger was creating. "Presumably last week they were telling clients that they could cope globally whereas this week they are saying they need more resources to do so," was the gist of what he said. Then added that this sort of switching of argument was "not impressive".

And then, of course, there is Europe. Brussels and continental Europe have never taken to the "Big Six" Anglo-Saxon firms. They have worried about being dominated by them. In France the incoming giants were not allowed to use their US or UK names. "Peas become Pterres", as a memorable headline in *Accountancy Age* once put it. This sudden sprint for even more power among the largest firms could mean that Brussels starts to dust off its old idea of handling audit firms from doing consultancy work. In the example, inside the largest firms they may be happy to be run by enormous egos. On the outside, a damage limitation exercise is urgently needed.

Yet on Monday he was saying precisely the same. "We have to create a truly global player," he said. But his firm's brochures have been telling us for years that this is already so. In his statement in the annual accounts last February he told us that "much that has been achieved in the past year has been achieved on an international scale". Small wonder that Brian Ardenhead is so forthright in his views. He is deputy chairman of the 100 Group, which represents Britain's top finance directors, and was finance director at National Power, where

one-time "Big Six" clients dropping into their laps as fallout from the mega-mergers. Intent on increasing their levels of wisdom still further they are to be entertained tomorrow evening by the Orchestra of the Age of Enlightenment.

THE City firm of Rees Pollock, itself the product of a merger of the last Ernst & Young merger, is celebrating that it had anticipated the latest mega-merger. It poached a KPMG partner more than a year ago.

ROBERT BRUCE

Planning to go Dutch

NO ONE should be surprised that the new combined firm of Ernst & Young and KPMG, should their partners and the regulators give it the thumbs-up, intends to be based in Amsterdam. With Colin "The Bruiser" Sharman due to become worldwide chairman of the firm it was a certainty. He loves the place. He spent his formative years as a partner there, including six years in charge of The Hague office. Anyone suggesting that hav-

ing your administrative office in The Netherlands might have something to do with tax reasons will undoubtedly receive short shrift from Sharman, which, as his fellow partners know, is not a pleasant sight.

Aloof Andersen

ARTHUR ANDERSEN still stands aloof from all this merger-mania among the firms. It contents itself with re-

marks about how it all shows that the other firms want to stay as mere accountants rather than as true professional services firms, like Andersen. But it, too, is thinking of mergers, or so the rumours run in the legal alleyways of the City of London. Having recently joined up with Dundas and Wilson, Scotland's premier law firm, Andersen is mooted to be poised to scoop up the noted City law firm of Simmonds & Simmonds, a one-time

affiliate of Spain's largest law firm, Garrigues, itself now part of the Andersen empire.

New tune

MEANWHILE, Grant Thornton International, auditors to KPMG and the leader of the pack when it comes to medium-sized firms, has been having its international partners conference in London this week. The partners are smiling at the prospect of so many

ANY OTHER BUSINESS

House of Lords

Law Report October 23 1997

Chancery Division

Parallel actions barred

Republic of India and Another v India Steamship Co Ltd (Indian Endurance and Indian Grace) (No 2)
Before Lord Browne-Wilkinson, Lord Steyn, Lord Hoffmann, Lord Cooke of Thorndon and Lord Hope of Craighead
[Speeches October 16]

An action in rem against a ship was in reality an action against the owners of the ship and where an action in rem had been begun in England while proceedings were pending in an action in personam against the shipowners in Coochin, judgment not yet having been obtained, the action in rem was "brought... between the same parties, or their privies" within section 24 of the Civil Jurisdiction and Judgments Act 1982 and was, subject to estoppel, barred.

The House of Lords dismissed an appeal by the plaintiffs, the Republic of India and the Government of India (Ministry of Defence), the owners of cargo carried on board the Indian Grace, from the Court of Appeal (Lord Justice Staughton, Lord Justice Simon Brown and Lord Justice Auld) (The Times May 1, 1996; [1996] 2 Lloyd's Rep 12), who had allowed an appeal by the defendant shipowners, India Steamship Co Ltd, from a decision of Mr Justice Clarke (The Times June 9, 1994; [1994] 2 Lloyd's Rep 331) on preliminary issues.

Section 24 of the 1982 Act provides: "No proceedings may be brought by a person in England and Wales... on a cause of action in respect of which judgment has been given in his favour in proceedings between the same parties, or their privies... in a court of an overseas country..."

Mr Alan Richmond for the Indian Government; Mr Kenneth Rickson, QC, Mr Jeffrey Gruder, QC and Mr Daniel Jewell for the shipowners.

LORD STEYN said that in June 1987 the Indian Grace had loaded a cargo of munitions in Sweden for carriage to Coochin and delivery to the Indian Government. A few days later a fire had occurred in No 3 hold and was extinguished with water. Some cargo had been jettisoned.

The Indian Government had notified two separate claims to the shipowners, one for the total loss of the cargo in No 3 hold due to damage, the other a small claim for short delivery in respect of the cargo jettisoned.

On September 1, 1988 they had issued a claim in the subordinate judge's court in Coochin in respect of the later claim. In December 1989 judgment had been given in their favour in respect of a sterling equivalent of £7,200. An appeal was still pending.

On August 25, 1989, before judgment in the Coochin action, the Indian Government had issued a writ in rem in the Admiralty Court in England. It had been served on the Indian Endurance, a sister ship of the Indian Grace. The parties

had agreed to the application of English law and the shipowners had submitted to the jurisdiction. The statement of claim had been in respect of damage to all the cargo in No 3 hold. The sterling equivalent was £2.5 million.

The shipowners had subsequently been allowed to amend their defence to rely on section 24. Following earlier proceedings (1993 AC 410; [1993] Lloyd's Rep 124), Mr Justice Clarke on preliminary issues had ruled that the shipowners were estopped by convention and acquiescence from relying on section 24; that in any event the English action, being in rem, was an action against a different party from that in the Coochin action, namely the ship rather than the owners; and that the principle in *Henderson v Henderson* (1843) 3 Hare 100 did not prevent the plaintiffs from bringing the Admiralty proceedings. The Court of Appeal had come to a contrary conclusion on all three issues.

Mr Justice Clarke had concluded that the authorities showed that, although an action in personam and an action in rem might involve the same cause of action, historically they had been regarded as being between different parties.

The "personification theory", under which an action in rem the ship itself was regarded as the "wrongdoer", had, however, given way to a more realistic view. In *Compania Naviera*

Vascongada v SS Cristina (1938) AC 485 the House of Lords had rejected it and adopted the view that in an action in rem the owners were the defendants. The reality was supported by the sovereign immunity cases; see also *The August 8* (1982) 2 AC 450, 456 and *The Deichland* (1990) 1 QB 361.

The present case was not concerned with maritime liens, a separate and complex subject.

The rationale of the bar against proceedings sought by section 24 of the 1982 Act was that it was unjust to permit the same issue to be litigated afresh between the same parties. It would therefore be wrong to permit an action in rem to proceed despite a foreign judgment in personam obtained on the same cause of action.

The analysis of Mr Justice Hoffmann in *The Nordgulf* (1988) 133 QB 100 no longer be supported.

The plaintiffs had argued that the Admiralty action had merely been continued, not "brought" within the meaning of section 24, after the judgment in the Coochin proceedings, but where proceedings were continued one could quite naturally describe them as brought. The Court of Appeal had been entitled to conclude that no estoppel by convention or acquiescence was established.

Lord Browne-Wilkinson, Lord Hoffmann, Lord Cooke and Lord Hope agreed.

Solicitors: Clyde & Co, Ince & Co.

No privilege for statutory report

Secretary of State for Trade and Industry v BAKER and Others
Before Sir Richard Scott, Vice-Chancellor
[Judgment October 1]

Where a document produced under a statutory duty did not threaten the inviolability of communications between a party and his lawyer, that party could not claim legal professional privilege for it by asserting that the document's dominant purpose was for use in litigation.

Sir Richard Scott, Vice-Chancellor, so held in a reserved judgment in the Chancery Division on a summons for discovery issued on June 30, 1997 by Andrew Marmaduke Lane Tuckey, the ninth respondent in a disqualification proceedings brought by the Secretary of State for Trade and Industry against Ronald Alwyn Baker and nine other former directors of Baring Bank plc and various of its subsidiary companies which were now in administration.

Mr Tuckey sought an order pursuant to Order 24, rule 11 of the Rules of the Supreme Court that the secretary of state produce for inspection, under a summons for discovery, all documents, including a report dated July 5, 1995 prepared by the administrators of Baring Bank and its subsidiaries.

Miss Elizabeth Gloster, QC, Mr A. W. H. Charles and Mr Edmund Nourse for the secretary of state; Mr Michael Briggs, QC and Mr Matthew Collings for Mr Tuckey.

THE VICE-CHANCELLOR said that after the collapse of Baring Bank on February 22, 1995 it was put into administration. The administrators pursuant to their statutory duty under section 73 of the Company Directors Disqualification Act 1986 prepared a report dated July 5, 1995 and submitted it to the Department of Trade and Industry.

Under section 71(1) the secretary of state had to decide whether it was expedient in the public interest that disqualification orders should be made against the former directors of Baring Bank.

It was naturally to be expected that in considering whether or not to commence disqualification proceedings he would pay careful attention to the contents of any section 73 report.

The statutory intention in requiring a section 73 report to be made was to place the secretary of state in possession of the facts and opinions necessary to enable him to decide whether disqualification proceedings should be commenced and, if so, against whom.

The secretary of state had been ordered to give discovery of his own documents but had objected to giving discovery of the administrators' report on the ground that it was privileged since it came into existence after litigation was contemplated and was to be used as part of the material on which the decision whether to commence or to defend proceedings would be taken, and whether or not disclosure of it might impinge upon the inviolability of lawyer/client communications.

The justification for legal professional privilege was that a man should be able to consult his lawyer in confidence since otherwise he might back half the truth. But that was not in point in the present case.

The report did not in any sense represent legal advice given to the secretary of state. It was not remotely arguable that its inviolability from disclosure was necessary in order to protect the inviolability of communications between him and his lawyers.

However, Miss Gloster argued that our legal professional privilege there had grown a sub-species, sometimes referred to as litigation privilege, which protected from compulsory disclosure any documents brought into existence for the purpose of litigation, actual, contemplated or simply prospective.

Lien on policy not its proceeds

Eide UK Ltd v Lowndes Lambert Group Ltd
A "lien on a policy" in section 53(2) of the Marine Insurance Act 1906 meant a lien only on the policy itself, not on the proceeds of the policy. Section 53(2) was not intended to give an insurance broker a wider right to retain policy moneys collected on behalf of one person for the debts of another.

Mr Justice Toulson so held in the Queen's Bench Division on July 24 on an application for summary judgment under Order 14A of the Rules of the Supreme Court.

The vessel *Sun Tender*, which was mortgaged to the second plaintiff bank, were entitled to payment by the defendant brokers of money paid by underwriters, who were

Retrospectivity is ruled out

Bairdrow and Others v Queens Moat Houses plc
Before Lord Justice Beldam, Lord Justice Pill and Lord Justice Phillips
[Judgment August 7]

The Supreme Court Rule Committee could not by rule 9 of the Rules of the Supreme Court (Amendment) Order 1996, which was made on December 19, 1996 by the Supreme Rule Committee of which the Lord Chancellor was a member, set out a number of rules to be substituted for Order 38, rules 20 to 34 of the Rules of the Supreme Court which were procedural rules giving effect to the 1986 Act.

The effect of the material replacement rules was, inter alia, to provide for the service of a hearsay notice and for the giving of notice of intention to attack the credibility of the maker of a hearsay statement.

Rule 9 provided that rule 8 did not apply to proceedings where directions had been given or orders had been made as to the evidence where the trial or hearing had begun before January 31, 1997.

Section 16 of the 1995 Act which made express provision as to the retrospective effect of the Act stated that unless the Lord Chancellor made transitional provisions in the order made by statutory instrument bringing the Act into effect, the Act was not to apply in relation to proceedings begun before its commencement.

The Lord Chancellor had made no transitional provisions in the order bringing the Act into effect.

THE QUESTION then arose whether the Supreme Court Rule Committee had any jurisdiction to confer upon the Act retrospective effect.

It was not legitimate to equate the acts of the Lord Chancellor with the acts of the Rule Committee of which he was a member. His Lordship concluded that the judge was in error to declare that the 1995 Act applied to the actions.

LORD JUSTICE BELDAM, also concurring, said that it was for the Lord Chancellor to make an order under section 16(2) when bringing the Act into force, if the provisions of the Act were to apply to all existing proceedings.

The effect of rules made by the Supreme Court Rule Committee to amend or repeal a statutory provision relating to practice or procedure applied only so far as necessary in consequence of provisions made by the rules.

The committee could not, by making rules, supersede the clear requirements of the Act, so that the provisions of the Act and rules made under section 12 did, contrary to the clear provisions in section 16, apply to existing proceedings.

Solicitors: Guldens, Allen & Overy.

Correction

Guinness: Peat Properties Ltd v Fitzroy Robinson (1987) 1 WLR 1027.

Both decisions were in the Court of Appeal, as Lord Justice Bingham, on his Lordship, but he found it difficult to identify the public interest that would justify the test proposed by Lord Justice Bingham in *Ventouris v Mountain* (at p612): "Disclosure being generally regarded as beneficial, any exception has to be justified as serving the public interest which gives rise to the exception."

However, neither of the authorities involved a statutory report. Each was a case in which the maker of the document in question had a choice as to whether or not to bring the document into existence, or to procure them to be brought into existence.

But in the case of a statutory report the maker had no choice. He was obliged by law to make the report. The report was not produced by any document brought into existence for the purposes of litigation independent of the need to keep inviolate communications between client and legal adviser. If documents for which privilege was sought did not relate in some fashion to communications between client and legal adviser, there was no element of public interest that could override the ordinary rights of discovery.

Miss Gloster argued that modern authorities established the principle that every document brought into existence for the purposes of use in litigation, whether for use as evidence or use as part of the material on which the decision whether to commence or to defend proceedings would be taken, and whether or not disclosure of it might impinge upon the inviolability of lawyer/client communications.

Waugh v British Railways Board (1980) AC 521 established that legal professional privilege could not be claimed for a document unless the sole or dominant purpose for which it had been brought into existence was that it should be used for the purpose of obtaining legal advice or being used by lawyers in possible or probable litigation. But none of the speeches in that case divorced legal professional privilege from its historical connection with and dependence upon the principle that communications between an individual and his lawyers should be immune from compulsory disclosure.

Waugh did not in any way extend the scope of litigation privileges on the contrary, it limited it. It did so by establishing that it was not enough that a document had been prepared for the purpose of being placed before lawyers for advice, the purpose had to be at least the dominant one.

The continuing importance of the inviolability of client/lawyer communications as the principle underlying litigation privilege was demonstrated by *dica* in *Ventouris v Mountain* (1991) 1 WLR 607.

In *re Highgrade Traders Ltd* (1984) 82 CLC 151, on the other hand, marked a development under which the dominant purpose test appeared to become a free-standing criterion, which, if satisfied, would entitle the document to privilege regardless of whether its production might impinge upon the inviolability of lawyer/client communications.

The same could be said of *Corrections* in *Thames v Crowville Water Ltd* (The Times October 20) in which Lord Justice Bingham said that the report was not covered by legal professional privilege and had to be produced for inspection.

Solicitors: Treasury Solicitor; Stephenson Harwood.

Viglen's sales slip to £101m

Viglen, the computer manufacturer demerged from Amstrad in August, has reported a fall in sales from £106 million to £101 million, in the year to June 30, with pre-tax profits unchanged at £11 million.

The company said sales volumes had risen, but lower average selling prices had reduced sales revenue. It added that price pressure on its MMX processor had intensified because of the pending release of the new Pentium 11 processor and a shortage of the original Pentium processors.

Viglen said: "We hope to maintain our recent increase in market share and will focus on broadening our customer base, thus increasing volume in order to compensate for any further reduction in average selling prices."

Tony Dean is to resign as finance director and be succeeded by Mike Ray. There is no dividend. The first will be an interim for the period to December 31, 1997.

Bid for Novo

Photobition, the printer, has made an agreed bid for Novo, the business support services group, which values it at £282 million. Photobition is offering one of its shares for every 15 Novo shares and a full cash alternative of 50p per Novo share. Photobition said that its sales for the current year's first two months were up 24 per cent on the previous corresponding period. Photobition's shares rose 30p to 810p. Novo's rose 1p to 51p. Photobition says it has acceptances for 76 per cent of Novo and intends to raise £3 million through a private placing.

Q does deals

Q Group, the educational multimedia publisher, yesterday said that it had lined up deals with leading distributors in Brazil, Italy, Spain, Malaysia and Taiwan at the Frankfurt Book Fair. Q Group almost doubled sales in the half year to June 30, from £444,000 to £796,000. The pre-tax loss was cut from £773,000 to £244,000. Losses per share fell from 6.7p to 1.7p. No interim dividend will be paid.

Lady fitter

Lady in Leisure, the women's health club chain that joined the Alternative Investment Market this year, made pre-tax profits of £41,000 in the year to July 31, against pre-tax losses of £166,000. Turnover rose 53 per cent to £2.6 million. Earnings per share were 1.5p (2.6p loss). No dividend is payable.

Protean agrees to cash offer of £102m from US group

By ADAM JONES

PROTEAN, the laboratory equipment group, has agreed to a £102 million cash bid from Culligan of the US, valuing the shares at 240p each.

Protean, which is based in High Wycombe and employs about 1,250, said that it was in talks with a potential buyer last month. The shares rose from 199p yesterday morning to close at 238p.

Culligan, which was spun off from Samsonite Corp in 1995, makes, sells and services water purification equipment.

It wants Protean's water purification activities — which serve laboratories in science, medicine and industry — to fill a gap in its European activities, which are geared to consumer and large-scale industrial markets. It said Culligan's operations would also give a boost to Protean's water purification sales in the US.

Ken Wellings, of Culligan, said Protean's other lab equipment businesses — which include electric furnaces and freeze-driers — are well-run niche players. He said



Ken Wellings, left, and Geoff Spink settled on a valuation of Protean shares at 240p

Culligan, which has a market capitalisation of about \$1.1 billion on the New York Stock Exchange and is being advised by Lazard Brothers on the deal, would not rule out redundancies or disposals.

Culligan already has a 3 per cent stake in Protean, which is advised by Close Brothers, and the deal values the UK company at £105 million.

Geoff Spink, managing director of Protean, said: "Our

shareholders are largely very pleased with what we are proposing to them."

Culligan has commitments to sell from the Protean directors, who own 0.8 per cent of the company. Protean share-

holders will be entitled to receive a 2p per share interim dividend under the offer.

Protean made a profit of £8.7 million in the year to March 31, 1997, a drop of nearly £1.6 million from the previous year. The fall was the result of the £1.3 million cost of reorganising the German DWA subsidiary, where profits had collapsed.

Mr Spink said DWA, which makes water purifiers used in kidney dialysis, is now operating roughly at break-even but said it would be 18 months or so before the company recovered fully. "It's going to take a long time."

Protean's share price has been at a low level in 1997, one of many small engineering companies with significant export exposure to suffer from market pessimism. In 1996, it had reached a high of 272p but was trading at 135p before the announcement of bid talks on September 18.

Mr Spink said that there had not been any pressure from institutional investors — who include Scottish Widows, Standard Life and Garbmore — for the sale.

Stakis chief sets deadline for casino division

By DOMINIC WALSH

DAVID MICHELS, chief executive of Stakis, the hotel and casino operator based in Glasgow, has given himself a year to prove that the troubled casino division can be turned around.

Yesterday, a fourth-quarter trading update showed that while attendances are rising the spend per head is still below last year's levels, dropping from £124 to £108 in the year to September 28.

This year's performance will be hit by redundancy costs of about £750,000, with a similar amount being spent on staff retraining.

Mr Michels said that the appointment of a new management team had been accompanied by changes to "everything that can possibly be changed" over the past 18 months. "We're now ready to face the music over whether what we've done is clever or stupid," he said.

Asked how long he had given himself to prove the strategy could work, he replied: "This year, no longer."

The clock started three weeks ago.

Mr Michels said he was confident the strategy would work, but if it should fail there is unlikely to be a shortage of buyers. Last year there was speculation that both Ladbroke and London Clubs had approached Stakis over the business, which has a book value of about £100 million.

Meanwhile, the acquisition a year ago of Metropole Hotels is proving a shrewd move, helping the hotels division to push the average room rate for the year up from £50.75 to £56.38, on occupancy slightly better, at 73.8 per cent.

Mr Michels said that trading in the fourth quarter had proved particularly buoyant, with the 750-bedroom London Metropole reporting a staggering occupancy of 96.88 per cent over that period at an average rate of £79.59. In January the board is expected to give the go-ahead to plans for a 400-bedroom extension at the hotel, costing about £80 million.

Candover in buyout link with French

By GEORGE SIVELL

CANDOVER, the company buyout specialist, has set up a new joint venture company in France with Chevrillon Philippe, the financial boutique. The joint venture, Chevrillon Philippe Candover, will work on buyouts of £300 million (£30.7 million) or more.

This year the two firms made an investment in the £300 million MC International buyout of the French refrigeration company. Prior to that Candover's involvement in the French private equity market was by way of an investment in funds managed by Ciclad Investissements, a private equity house that concentrates on development capital and smaller management buyouts.

Chevrillon Philippe was set up in 1992 specialising in mergers and acquisitions. It now has £4 billion under management. Stephen Curran, chief executive of Candover, said: "This joint venture, together with our German joint venture, EGC Candover, gives us a presence in the two most active buyout markets in continental Europe."

Cyrille Chevrillon, managing partner of Chevrillon Philippe, said: "The corporate restructuring programmes being undertaken by both local and foreign companies following the recession will drive investment activity in the French marketplace over the next five years. The establishment of CPC is timely."

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Merger to create Australia's largest fund manager

By GEORGE SIVELL

TWO of Australia's biggest financial services groups, Lend Lease Corp and National Mutual Holdings are in talks to merge their insurance and fund management operations.

Lend Lease is currently working on a joint venture with Blue Circle to build the £600 million Bluewater retail development in Kent. It will be one of the largest retail developments in Europe and is due for completion in March 1999.

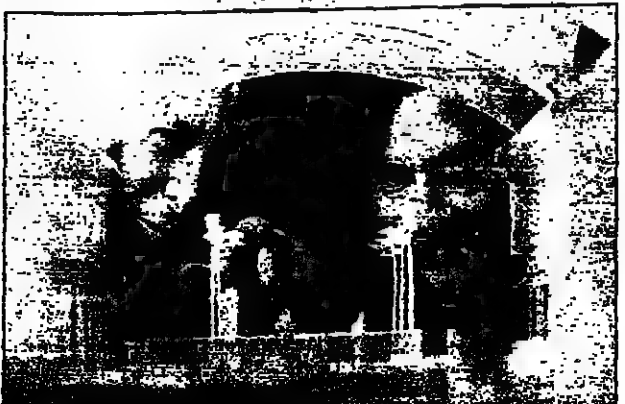
The combined group would have funds under management of about A\$50 billion (£22 billion), overtaking Australian Mutual Provident Society as Australia's largest fund manager. The merged group would also create a competitor to Australia's four leading banks. If, as expected, it branched out into banking and other financial services.

Stuart Hornery, chairman of

Lend Lease, and Dean Wills, the National Mutual chairman, said they were discussing a merger of their funds and insurance businesses in Australia and New Zealand.

The two groups did not detail how a merger would be structured and said that they would not comment further until regulators had been consulted and due diligence completed.

The stock market welcomed the prospect of such a merger, saying it could give Lend Lease access to a huge pool of funds now being managed in the region under the banner of both National Mutual and its French parent Axa-UAP, which owns 51 per cent of the company. Lend Lease shares surged to close at A\$33.32, up A\$2.72. National Mutual shares ended just four cents higher at A\$2.43.



Stuart Hornery, left, with Peter Walickiowski, the chief executive of Lend Lease Europe, with a Bluewater model

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TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

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Sex and glitz and rock'n'roll

At the Cork Film Festival Gerry McCarthy is bemused by the variety on offer, from home-grown shorts to international features

In its 42-year existence the Cork Film Festival has grown into a many-headed affair where you keep running into people who seem to have been attending a different festival. Big-budget features such as *Crash* (which was banned from general release in Ireland) co-exist with experimental video work and a retrospective focus on the Canadian film-maker, Mike Hoolboom. *Crash's* reputation led to such a demand for tickets that an extra screening quickly sold out. Meanwhile, Hoolboom was genially introducing his films — more challenging, more transgressive, and considerably more explicit — to disappointingly small crowds in the Triskel Arts Centre. Somebody should have come up with the idea of banning him.

David Fourier's *Majorettes in Space* — a surreal six-minute film from France — won the prize for Best International Short (only shorts are eligible for prizes at Cork). Londoner John Smith won the prize for Best European Short with *Bligh*, about the building of London's Mill link road. Other winners included Kevin Liddy's *A Soldier's Song* — a half-hour piece dealing with life in the Irish Army — and Paul Mercier's *Before I Sleep*. But the most memorable short — winning both a jury award and an audience poll — was *Flying Saucer Rock'n'Roll*, directed by Enda Hughes.

Hughes appeared from nowhere last year with *Eliminator*, a zombie movie set in South Armagh. Deeply immersed in a trash aesthetic, he has now produced a perfect B-movie pastiche, and the best cardboard flying saucers since *Plan Nine from Outer Space*. The year is 1958, the kids are living and grooving at the youth club, mutant aliens are everywhere, and only half-deaf, half-daff O'Hanlon — Dougal in *Father Ted* — can save the planet and win his girl back before her brain gets eaten. Underlying all this is a profound truth: if you want to save the world by blowing up an alien spacecraft with a fertiliser bomb, don't do it in Northern Ireland. Your motives could be misinterpreted.

Cork's glitzy side was also on show. Hurd Hatfield, 50 years after starring in *The Picture of Dorian Gray*, arrived by limo for the screening of *Wilde*. Afterwards, he pronounced himself delighted by Stephen Fry's interpretation, despite feeling that he was "insufficiently ravaged" at the end. He stayed on for *Separation Anxiety*, one of two Irish features premiered. Written by Shelagh Harcourt, who also plays the part of an American writer in Dublin, the film is an off-kilter view of sexual mores in post-divorce Ireland. Irish films have tended towards



Box office hitman: Paddy Breathnach's *I Went Down* is a clever and fast-moving Irish gangster caper that for once features neither terrorists nor drug barons in its plot

this is changing. *Separation Anxiety* is an accessible comedy which takes a grown-up, slightly patronising look at male infantilism. The other new film, Alan Gilman's *All Souls Day*, is utterly different. Shot in experimental style by an established documentarist, it is a superbly emotive probe into memory, sexuality, sanity, and faith. Some of the international feature

films shown here also figure in the London Festival, which opens next month: Wim Wenders' *The End of Violence*, Roberto Bagnara's *The Girl with Brains in her Feet*, and *Shall We Dance?* from Japan. The American film *Love and Death on Long Island* features a superb performance by John Hurt. Ang Lee's *The Ice Storm* gives us a period view of 1970s America

nervously wife-swapping while Nixon implodes — on television. Meanwhile, the kids are growing up weird. But despite strong performances from Kevin Kline and Sigourney Weaver, its denouement — where sexual activity is punished by tragedy — is dubious. *I Went Down*, already No 1 at the Irish box office, was shown as part

of the festival's education programme opens in Britain in January. A gangster comedy written by Conor McPherson, it has humour but no pretensions. Brendan Gleeson and Peter McDonald star as a mismatched pair of inept criminals, sent to Cork by a Dublin gangster to kidnap one of his enemies. Directed by Paddy Breathnach, it is clever and fast-

moving: an Irish version of a classic crime caper movie, mercifully free of baggage. Unlike many previous Irish films, which have got bogged down in attempts to mix action with social conscience, *I Went Down* concentrates on the plot. Terrorists and drug barons are happily absent, as are attempts to explain the essence of Irishness.

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Ireland's little Italy

On the surface it is business as usual at the Wexford Festival, with one of the season's three long-forgotten operas proving more deserving than the others, but none qualifying for a place in the repertoire. These rarities remain the festival's raison d'être, but it is impossible not to notice a shift in the way Luigi Ferrari is running the show. Though he may be right to steer it away from its homespun past, creeping Italianisation is threatening to destroy the spirit of this uniquely Irish venture.

But only die-hard festival-goers will not welcome the news that expansion is in the pipeline. The festival has secured property adjacent to the Theatre Royal which will effectively double its site. Plans for early next century include an upgrading of backstage facilities and an improvement to the notoriously cramped auditorium.

Only in a revelatory performance can one forget the uncomfortable seating, and that happened last weekend in Alexander Dargomizhsky's *Rusalka*. Based on Pushkin's version of the tale in which a wronged maiden becomes a vengeful water-nymph, this important work shows how the composer (1813-1869) was picking up where Clinka left off in the quest to create a Russian national operatic style. The lively, folk-influenced score is full of memorable tunes, and Paul Magi conducted it with authority.

Igor Nezy's versatile act, dominated by a water-wheel, should have proved a good frame, but Dmitry Bertman's staging had more than a whiff of amateur theatricals about it. His

One hit, two misses: that is John Allison's verdict on the Wexford Festival of rare opera

"concepts" are hopelessly dated by Western standards: here the sinister masked character who stalks the stage was more an irritation than a figure of fun.

At least the cast is first-rate, led by the focused bass Maximilian Mikhalov in the Chaliapin role of the miller who loses his mind. Anna Maria Chiri has just the right idiomatic edge to her soprano for the title role. Annie Vaville displays a burnished mezzo as the Princess, and Alessandro Saffina is a mellifluous tenor Prince.

Saverio Mercadante (1795-1870) was also a ground-breaking composer, and there are moments in *Elena da Feltre* that anticipate Verdi. But there is much that is utterly conventional. *Elena* ends abruptly with a weak Mad Scene, but in the pit Maurizio Benini made the score as dramatic as possible.

Sonja Frisell's efficient production on a mostly bare stage (save for Marouan Dib's drawbridges) evokes little of how the doubly duped Elena loses both her father and her lover, but the strong protagonists make one care. Monica Colonna is outstanding in the title role, a shining soprano capable of beautifully scaled-down pinnosimos, and the bass-baritone Nicola Ulivieri as her beloved Guido offers well-sculpted singing. The demanding role of his rival Ubaldino is taken well but without much subtlety by the tenor Cesare Canali.

Neither "academic" nor "interest" was a word that came to mind by the end of Respighi's 1934 *La Fiamma*. After an intriguing start in which the composer evokes the setting of Byzantine Ravenna with some exotic and antique effects, it is downhill all the way: the score is high-class trash, and though the conductor Enrique Mazzola whipped through it he could not disguise the stretches of second-hand Puccini.

In the title role, the extraordinarily rich-voiced but still uneven soprano Elmira Magomedova vamps it up a little, but she has presence as the second wife of Basilio (the excellent bass-baritone Anatoly Lochak) who falls in love with her stepson. Donello (Yuri Alekseyev, a promising tenor) and is accused of witchcraft. Two other singers, Daniela Barcellona and Giuseppina Piumi, deserve mention.

There is perhaps little a production team can do with this tale of superstition, lust and retribution, but Franco Ripa di Meana and his designers do not do it. Edoardo Sanchi's set has some attractive turquoise mosaic detail, but it opens far too often to reveal scenes that should have been off-stage, and there is also a dentist's chair that becomes an unexplained visual leit-motif. Wexford will need better directors to bring off Zandonai (*Cavalleria di Ekebu*), Gomes's *Fosca* and Haas's *Sarlatán* next year.

Cheek by jowl with the Bard

WILLIAM SHAKESPEARE'S ROMEO + JULIET Fox Guild, 12, 1996

THE director of *Strictly Ballroom*, Baz Luhrmann, steers Hollywood's gaze with this exuberant adaptation of the Bard, aimed at young audiences used to the frantic images and immediate impact of MTV. The action unfolds in Verona Beach, US, populated by warring gangsters, lurid T-shirts and mobile phones. Romeo is Leonardo DiCaprio, prone to brooding and showing off his chest. Juliet is Claire Danes, fresh and innocent as a daisy. The film is too much fun to be a tragedy, but its brazen cheek is captivating. Available to rent.

EDDIE First Independent, 12, 1996 IT IS hard to believe that there is a sizeable British audience for a film in which Whoopi Goldberg becomes the coach of a failing New York basketball team. Still, her infectious spirit and loud mouth count for something; otherwise, this comedy has little to offer except a predictable plot, sports stars who mean nothing overseas, and an awkward performance by a miscast Frank Langella as the team's mercenary manager. Available to rent.

FROM THE POLE TO THE EQUATOR Academy, PG, 1996 SENSIBILITIES are tested by this avant-garde venture from Yervant Gianikian and Angela Ricci Lucchi. For material they draw on silent exploration footage shot all over the world by an Italian pioneer. They do not leave things be; they deconstruct images by playing with the speed and

NEW ON VIDEO

editing, and swath the soundtrack with New Age droning. Some moments tickle the fancy but the film never extends beyond a lengthy exercise.

KISS ME STUPID Warner, U, 1994 BILLY WILDER's acid tale about a philandering singer's overnight stay in Climax, Nevada, should have had the polished bawdiness of a Restoration comedy. It lacks the required energy, though much of the dialogue is terrific, and it's hard to resist Dean Cain's self-parody, or Kim Novak's warm performance as the leading light of the Betty Burton salon. Ray Walston replaced Peter Sellers, who suffered a heart attack after six weeks of shooting. Other Wilder films newly available include *Avanti!* and *One, Two, Three*.

MARTHA Connaisseur, 15, 1974 SHOT for German television, and lost in limbo for years, Rainer Werner Fassbinder's tale of marital hell provides hypnotic viewing. The material is American (a late short story by Cornell Woolrich), and so are Fassbinder's reference points (heated Hollywood melodramas of the 1940s and 1950s). But the film's glacial lushness is Fassbinder's own, and he moves his characters around — the fearful wife, the oppressive husband — with amusement and precision. The cast includes Margit Carstensen and Karlheinz Böhm (aka Carl Boehm from *Peeping Tom*).

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Scrub the politics and cut to the chase

NEW MOVIES: Even George Clooney cannot stop *The Peacemaker* being a bit of a dud, says Geoff Brown

Two trains collide somewhere in Russia's Ural mountains, detonating a nuclear warhead. A mushroom cloud soars into the sky and fills the screen with swirling fall-out. Slowly but surely the toxic inferno metamorphoses into turbulent water, quivered in a swimming pool by the graceful limbs of Nicole Kidman. Such outrageous conjunctions are part and parcel of *The Peacemaker*, a big, blustery, schizophrenic thriller.

Part of it wants to send the audience on a fairground ride: a car chase here, a helicopter raid there, blood and bullets everywhere, with valiant Americans saving the world from ruin. Another part aims to furrow our brow and make us weep over Russia's instability, the Balkans agony, and all the sore points of Eastern Europe. Russians come dressed in authentic army uniforms on loan from the Ministry of Defence. Kidman is dressed by Calvin Klein.

If this were any ordinary Hollywood production the film's muddle would be of little significance. But this is the first product from DreamWorks, the ambitious new studio created by Steven Spielberg, financial wizard David Geffen and Jeffrey Katzenberg, former head of Walt Disney Pictures. The company logo is typically Spielberg, typically cliche, a kid fishing in the clouds, sitting on the D of DreamWorks. It is hard, though, to see huge audiences rising to the bait. Kidman's co-star may help. He is George Clooney, guaranteed to set hearts beating faster. His Lieut-Col Thomas Devoe, an intelligence officer with the US Army's Special Forces, is the kind of role Clark Gable used to play: the daredevil chap who ignores the rules, but gets the job done. The job is tracking down nine nuclear weapons, stolen by Russian professors under cover of the mushroom cloud, and seemingly headed for the Iranian border. As acting head of the White House Nuclear Smuggling Group, this should be Kidman's baby. But the job needs male muscle as well as female brains, so Clooney and Kidman settle down to chase and bicker in the customary way before arriving at mutual understanding. Who knows, once the adventure is over they may even start dating.

There is certainly no time for smooching on-screen. *The Peacemaker* has a woman director, Mimi Leder, fired on the strength of her award-winning work on the TV series *E.R.*, but she keeps her delicate sensibilities well hidden. Just a few seconds are allowed for tears over casualties. Then the way is clear for the next

chase, the next onslaught of shouted commands, the next encounter with the plot's Balkan terrorist (played by a Romanian, Marcel Iures), who plans to collar the world's attention with a nuclear explosion at the United Nations in New York.

Ah, New York! You can almost hear the film relaxing once it reaches home ground after trudging through Eastern Europe. No more noble intentions. No more playing with subsidies. Here is pure hokum. Misdirection, in gridlock, with a bomb's detonator ticking. Clooney in pursuit and Kidman still dressed by Calvin Klein. It makes for a rousing conclusion. But to work as a whole, *The Peacemaker*

The Peacemaker

Empire, 15, 124 mins
Anyone seen nine nuclear warheads?

A Life Less Ordinary

Warner West End
15, 103 mins
The Train-spotting team loses direction

Ma Vie en Rose

Curzon Mayfair
12, 88 mins
French delight about a child's sexual identity

Darklands

National Film Theatre
90 mins
Murky Welsh horror movie

maker needs to be much more stupid or much more intelligent. I don't mind which.

A Life Less Ordinary is another movie that needs sorting out, although there is no simple solution to the curious mess the Train-spotting team has made of its first venture abroad. They have travelled far: the first scene takes place in Heaven, cut like a police station, all in white. Danny Boyle (the director), Andrew Macdonald (the producer) and John Hodge (the writer) then return to Earth. Unhappily, in fact, to pick up Robert and Celine, one right one poor, played by two of cinema's honest young stars, Ewan McGregor and Cameron Diaz. Heaven decrees that they fall in love, and two angels (Holly Hunter and Delroy Lindo) are sent to ensure this happens.

So Robert, a junior fired from a vast corporation, finds himself kidnapping Celine, pampered daughter of his former boss. The angels are hired as bounty hunters to track the pair down. Nothing goes according to plan. Nor does the film. The



The future of Earth as we know it is in the hands of George Clooney and Nicole Kidman in *The Peacemaker* — so what have we got to worry about?

presumed aim was a fantastical screwball comedy, pitched somewhere between the films Boyle asked his cast to watch as part of their homework: Powell and Pressburger's *A Matter of Life and Death* and Frank Capra's *It Happened One Night*.

But it would take a far sharper script and more rigorous direction from Doyle and Hodge to produce a fusion of these classics. In Capra's Depression comedy, Clark Gable and Claudette Colbert had genuine personable charm to offer. Strain as they do, McGregor and Diaz cannot generate the same glow as they blunder through bank robberies, karaoke bars, and any diversion Hodge can conceive. We grow tired of McGregor's boyish naivety and Diaz's metallic smile.

In short, our hearts are not with these characters, which makes the film's twists, turns

and elongations increasingly difficult to take. *A Life Less Ordinary* may come festooned with fashionable names, a hip insouciance, intriguing conceits and sizeable audience expectations, but nothing much lies behind the bunting. *Ma Vie en Rose* offers a different kind of parade. French suburbia is the setting: manicured lawns, tidy houses, barbecues, lives determined by community approval. But there is a sparker in the works. Ludovic, the seven-year-old hero, believes himself to be a girl in disguise. He even plans a wedding with his friend, Jérôme. The community frowns. Ordered life is disrupted. The film's colour scheme equally goes haywire. Kitsch shades of pink and yellow intrude as Ludovic steps into the fantasy world of Pam and Ben, characters from a children's TV series not too far away from Barbie and Ken.

Banalities one minute, outrageous

fantasy the next: this is tricky terrain. Alain Berliner, the film's greenhorn director, copes marvellously well. He may not probe the deepest recesses of the issues raised in Chris Vander Stappen's script, but there is enough coverage of gender confusion and the adventures of cross-dressing to give audiences pause for thought. He is blessed, too, with an excellent cast. A cloying and artful child actor would be the film's death:

luckily Georges Du Fresne keeps his innocence and fragility as he explores Ludovic's sexual identity. Expect, and fear, a Hollywood remake. With *Ma Vie en Rose* you feel an original sensibility in control. *Darklands*, on the other hand, was made by a maggie. His name is Julian Richards, Welsh-born, late twenties. He explains in the press kit that he was told at film school not to make films about other films, but the

advice has not sunk home. Behind this botched tale of pagan sacrifice in post-industrial Wales lie *The Wicker Man*, *Rosemary's Baby*, *The Exorcist*... Influences and borrowings would not loom so large if Richards's collage was glued together with flair. But his ambition far exceeded his budget of £500,000 and the cast, headed by Craig Fairbrass, is not equipped to come riding to the rescue.

'A very dated piece'

Every week, young film fans discuss the latest releases...

THE PEACEMAKER
Eleanor Zeal, 19: This film is rubbish. However it does provide two hours to ogle George Clooney. I'm going again.

LESLIE ISAIAH THOMAS, 19: Hopefully this first movie from Spielberg's new film studio will not be typical of the output. *The Peacemaker* is a way below average action thriller.

DOMINIQUE YOUNG, 18: A very dated piece. Kidman and Clooney just don't have the necessary chemistry. **LAURA BROOK, 18:** If you liked *Batman and Robin*, you'll love this. Nicole Kidman's American accent is curiously Australian.

A LIFE LESS ORDINARY

ELEANOR: For a comedy thriller, the laughs and thrills were in short supply. The best thing about this movie is its very funky soundtrack. **LESLIE:** Both Ewan McGregor and Cameron Diaz looked uncomfortable on screen. **DOMINIQUE:** Actress Holly Hunter gives a strong, funny performance in this supposedly dark comedy. **LAURA:** Ewan can do no wrong, even in this poor excuse for a movie.

MA VIE EN ROSE

ELEANOR: A highly original film, both moving and funny with some striking images. **LESLIE:** A film that highlights the prejudice in our society towards anyone seen as "different". Recommended. **DOMINIQUE:** One of the best French movies I have seen. **LAURA:** Do not allow yourself to be put off by the subtitles. Your life will be richer after watching this film.

THE TIMES/DILLONS FORUM

A satirical walk with BILL BRYSON

READERS are invited to a forum with the bestselling author Bill Bryson, when he will read extracts from his gripping new book *A Walk in the Woods*, giving accounts of his experiences along the longest footpath in the world, the Appalachian Trail.

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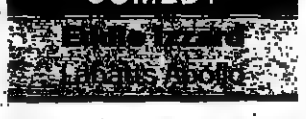
Doubling up over jam and Belgium

A COUPLE of years ago Eddie Izzard opened a one-man show at the Ambassadors, the West End's smallest theatre (450 seats), and by all accounts endeared himself to everyone who saw him there. This time he opens his British tour at Hammersmith's vast auditorium where a full house at the Ambassadors could fit into a quarter of the stalls. The change of scale contributes to a finally satisfying occasion, but is not the only cause of it.

Before his entrance, lights rake the audience until you expect an encounter of the third kind to descend. When he appears, wearing a suit of flexible sheet metal, cherry red shot with green. It is evident that the majority of the audience are devoted fans who will bray with laughter at what they expect to be funny, whether or not it isn't. Thus he begins with the Creation, God being woken up by his Scottish landlady and told to begin making things: jam, Belgium, Jam! Belgium! Not exactly the pay-offs to the funniest jokes ever told, but you could be excused from thinking they must be from the resulting uproar of joy. Added to which, the miking makes his voice both muffled and tinny, asides turn into mumbles, and his characteristic style of thinking aloud becomes thinking a-solt.

When the acoustic system catches up with his delivery, circa the Flood, his special qualities have a chance to show themselves. He queries notions that most of us never think about. Why only one pair of giraffes, elephants, etc, when floating creatures (locks, geese) survived in thousands? What is an evil

COMEDY



Eddie Izzard: qualities marred by bad miking

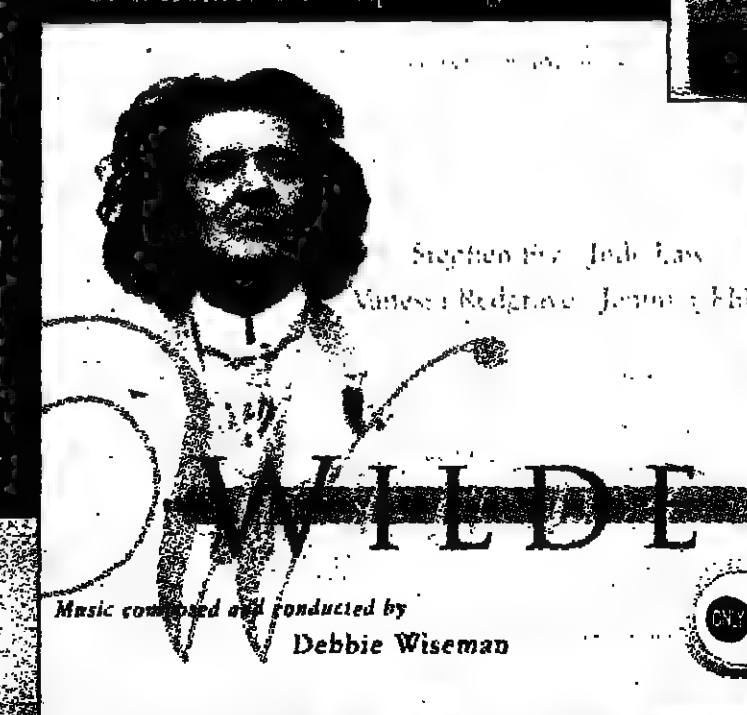
giraffe? He becomes a giraffe, wickedly gorging on leaves in order to deprive fellow giraffes. He moves in a sort of dragging trot instantly recognisable as a giraffe's galumphing gait. Quirky points of view are one of his strengths what dust thinks when an inefficient carpet sweeper goes back and forth on top of it. The sounds of physical objects are another: the different noises of a saw as it makes its way through a plank. But jokes about treacherous toasters and showers, however nicely observed, are overfamiliar subjects for comedy, and in the evening's second half he makes no attempt to hitch batches of material together on a through line of thought. Taken together with the strain of listening, the show is a disappointment to all but dedicated followers.

JEREMY KINGSTON

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Family that preys together

The saying that blood is thicker than water seems a bit insulting to any friend who has spent many years proving himself more substantial than H₂O. Yet the familiar complaint that we choose our chums but not our family fails to acknowledge the visceral pull of DNA or whatever it is that links relatives. At any rate, those are the convoluted at the heart of the unsettling comedy that brings Maggie Smith and Eileen Atkins to the West End as two sisters bonded in hatred and, maybe, a kind of love.

Edward Albee's *A Delicate Balance* was first performed in 1966, soon after his *Who's Afraid of Virginia Woolf?* and, although it proved commercially less successful, it was and remains an equally impressive piece. It is less scathing, less verbally energetic. At times its Henry James dialogue leaves you feeling

that silver sugar tongs are moving the words. But it expresses the same scepticism about relationships in a richer, subtler way.

Amid the grand Grecian columns of Carl Jones's drawing-room, set a "delicate balance" has been achieved. Atkins's Agnes and her husband, John Standing's Tobias, seem barely to have shared a bed since the death of a son years ago. Agnes talks vaguely of going mad and her alcoholic sister, Smith's Claire, of murdering her. But it is just attenuated rhetoric. The emotional scales remain precariously in place.

Then comes a dual invasion, one half depressingly realistic, the other half odd without ever becoming unbelievable. Agnes's daughter Julia slams in, shrilly demanding sympathy for the collapse of her fourth marriage and a return to the security of childhood. But her old bedroom has just been taken over by Edna and Harry, her parents' best friends. They have come for sanctuary after suffering an attack of the horrors in their own house, and blithely declare that they plan to stay indefinitely.

What has frightened them? Intimations of death, their own emptiness, the suburban terrors that surface in nightmares, or the weird, amorphous ones you find in T.S. Eliot's poetry? That is never clear, perhaps because Albee's prime concerns are elsewhere. He wants to ask hard questions about emotional priorities. More, he wants to explore the geography and chart the outer boundaries of affection, to demonstrate the disparity between the human craving for love and the human ability to give it.

Anthony Page's fine production gives him every opportunity to do so. For all James Laurensen's mazy swagger,



Maggie Smith (Claire), John Standing (Tobias), Eileen Atkins (Agnes) and Sian Thomas (Julia) in Anthony Page's excellent production of Edward Albee's *A Delicate Balance*

his Harry and Annette Crosbie's Edna cut forlorn, needy figures, and are certainly more appealing than Sian Thomas's bratish Julia. Ideally, they should be able to take their old friends' hospitality for granted. But the reaction of Standing's Tobias, who desperately implores them to stay while admitting he doesn't want them, is probably the best they can expect. The American norm is to be "giving but not sharing, outgoing but not friendly".

The speaker is Smith, who almost manages to disguise the fact that most of her funny lines involve booze and boozing, so effortlessly arresting is her way, seen-it-all manner.

But the performance of the evening comes from Atkins as the sister who has acquired a dry, naive style for every disaster, starting with the maddening Claire. Under the wintry preciosity and mandarin self-sufficiency are bitterness and cynicism, grief and regret and a lot more.

Anthony Page's fine production gives him every opportunity to do so. For all James Laurensen's mazy swagger,

Couplings and couplets of city victims

When Rose, the decent-heeled schoolteacher, is a few seconds away from escaping the misery of life with a bullying husband, the lithe young man who will become her lover asks: "Are you nervous?" To which she answers: "Brilliantly." Few of us in the world outside the theatre would reply with this friendly succinctness but characters in plays by James Martin Charlton are often given such rich, extraordinary comments to express their feelings.

Far South, the first of his plays to be produced here, remains his finest achievement so far, but his latest work marks a return to his peculiar strengths: a passionate sympathy with the victims of abuse, and a readiness to exploit understated theatrical styles to present their story. As well as Rose (played by Nicola Duffett, once of *EastEnders*), whose horrible husband is a

security guard, the victims here include Adam, a schoolboy, up on a charge of smashing a shop window to steal a pair of trainers.

Rose feels she should put in some good words for him — and the glimpses we get of his ghastly home life allow us to see prison as a sentence that could write him off for ever. Their entwined fates form the substance of Charlton's play. Sometimes the characters on this London stage speak harshly, complaining, arguing, telling sexist jokes, but frequently even the nastier ones shift gear into a language of irregular couplets, rhymed or half-rhymed, expressing deeper concerns and the fear and desire to give voice to them. Though it is a language too loosely structured to ac-

commodate pithy summaries of precise situation, the presence of rhymes makes the characters representative of a general situation.

Played in traverse between two grey tower blocks, narrowing towards the top like chimney breasts, Ted Craig's well-acted Warehouse produc-

tion sensitively fuses the different realities into a credible whole. Duffett and Thomas Goodridge (Adam) play only the one role but the other three actors play two or three. Euan Macraughton couples the snarling husband with Rose's future lover; Thomas Murphy plays three sorts of creep,

though the last, a crushed pensioner, shows Charlton exploring beyond black'n'white characterisation. Joanna Brookings enjoyably switches from foul mother to cantankerous neighbour to prim teacher.

JEREMY KINGSTON

Switched on and tuned in

LONDON'S rich musical season only really gets into full swing when the chamber music begins, so it was good to hear the Takacs Quartet back at the QEH. Their concert featured Michael Berkeley's newest work, Mozart's *Hoffmeister* and Beethoven's Op 59 No 1 quartet, and right from the beginning the players stamped their mark on the music.

Their Mozart is individual, almost romantic and with a vein of deep melancholy; the opening Allegretto had quirky lightness, and the Minuet and Trio was a real dance. Even though there were a few

RECITAL

Takacs Quartet
Queen Elizabeth Hall

moments of rhythmic instability later, this is a group that listens more intently to one another than most quartets, and from the clarity of the textures you know that these are four very individual musicians. It is easy to understand why Berkeley chose to write for them.

Torque and Velocity is Berkeley's fifth piece for string quartet. It thus follows his *Magnetic Field* and also draws inspiration from the world of physics: the opening and closing gestures are like the flick of a switch, which at the start releases a big charge of energy and sets the 20-minute piece in accelerating motion.

This is a tightly composed score, with much deriving from a few cells; even the vigorous motor rhythms and rapid, anguished glissandos.

But there are also long stretches of quiet, desolate beauty, and moments of hard-won lyricism where the melodies range across wide intervals. Some high-lying cello writing helps the music to flow effortlessly and at times eerily, and Berkeley conjures up an amazing variety of colourful textures with one of the less colourful mediums. The string quartet may also be essentially an intimate medium, but this is a big, invigorating work, at once modern in outlook and rooted in tradition.

JOHN ALLISON

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■ **VERDI**
I Lombardi
Anderson/Pavarotti/
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Orchi/Levine
Decca 453 257-2 (two CDs)
4-★ £30.99

ORONTE, the tenor lead in *I Lombardi*, has a short life but a musically brilliant one. By the last act of Verdi's early opera he is a mere vision, but he begins with a glorious double aria and dies, a convert to Christianity, amid a trio which Caruso and Gigli, among others, made famous.

It is easy to see what attracted Pavarotti to the role and throughout he is in reluctant voice. Richard Leech, in the less showy part of leader of the Lombard crusaders, also has plenty of sheer to his tenor. He is generally associ-

ated with French opera but can handle Verdi too. June Anderson and Samuel Ramey take the other two main roles. Both are a touch below their very best, while remaining redoubtable Verdians. She has a few slithering notes before a rapid account of the heroine's last act dream. He is a bit short of ballast as the villain who becomes a hermit to atone for his crimes.

Chorally Lombardi picks up where *Nabucco*, Verdi's first big success, left off. The Crusaders dominate the last act, first complaining to their Lord and then praising him for their vision of the new Jerusalem. The Met's chorus and orchestra are in tremendous form. There is unlikely to be better Verdi this year.

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CHAMBER
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■ **MONTEVERDI**
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cians of Rinaldo Alessandrini's *Concerto Italiano*.

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The instinctive phrasing and inflection and the subtly blended vocal and instrumental palette of these Italian musicians make this, their fourth collection of Monteverdi madrigals, as irresistible as any of its meticulously produced predecessors.

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LAST week it was Nikolaus Harnoncourt conducting two Brahms concertos. This week it is Harmoncourt conducting Brahms yet again. But no apologies are needed: this three-disc set is too important to be overlooked.

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Berlin Philharmonic, but taking into account everything to be learnt, in terms of phrasing, articulation and so forth, from the period-instrument movement and early sources.

Freed of the clogging, fatty tissue with which Brahms is conventionally invested, the textures of the symphonies are revealed in a new light: lean, lithe and (especially in the slower movements) more rushing than ever. Balances are perfectly judged and not a bar is thoughtlessly executed.

In particular the heartache of the Third Symphony, from the poignant minor chord at the beginning to the final, exquisite resolution, is movingly realised.

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CHANGING TIMES

Nation united by disunity

**Felipe
Fernández-
Arnesto on a
history as
paradoxical as
its author**

In Islington kitchens and Oxford common-rooms, Paul Johnson has made tongues click and brows furrow. He was the intellectual enemy of "intellectuals", the voice of the civilised Right, the spokesman of intelligent religion, the journalist who outdid the professional historians. But in the last few years he seemed to be losing his grip. He admitted to saying prayers to Samuel Johnson and Jane Austen, as if they were saints or gods, and writing them for Diana, Princess of Wales. Before Margaret Thatcher and Ronald Reagan, his critical faculties seemed suspended, like votive offerings. The ranting style of his work for the *Daily Mail* corrupted his prose. Even his former admirers feared they would never get another good book from him.

Now he has confounded the doubters by writing one in the characteristic manner of his greatest days. Undaunted by big subjects, undeterred by tough questions, unimpressed by vast quantities of material, unafraid of academic hostility, he can make a coherent story out of the most sprawling subject. He writes of a past which is always relevant. His work is peopled with lively portraits and peppered with enlivening lines. It is impossible to read *A History of the American People* without relishing moments of intellectual pleasure and provocation.

He is the kind of writer who hates to be agreed with: he would despair if he failed to stimulate demurals. The most objectionable features of the book are its moral ferocity, its partial coverage and its partisan sub-text. Johnson candidly seeks lessons in American history: can a state founded on usurpation, developed in slavery and expanded at victims' expense be a fit leader and example for the world? In reply, he reflects Americans' self-images back at them, endorsing American history as essentially high-minded and progressive.

Johnson's America sprang fully armed with democracy, defended by a morally committed middle class (but try telling that to the long-disenfranchised). Their religion, in his view, gave Americans the blessings of idealism without the discomforts of clericalism (but godly little tyrannies are on the statute books in every state).



America's shame: *Into Bondage* by Aaron Douglas (1934) from *Rhapsodies in Black: Art of the Harlem Renaissance* (University of California Press, £45)

The Civil War — an assertion of central power by industrial might — is represented as a clash of rival ideals. Lincoln's embarrassing rhetoric about republicanism is taken at face value.

The hero and fulfilment of the story is Ronald Reagan. Bush was just "a wasp in a stew" who betrayed the vision-thing Reagan brought out of the Golden West. For Johnson, the threats to American freedoms today come from exploitative lawyers, arrogant media, political correctness and the intrusive trendiness of the *Supreme Court*.

Like most books with the same title, Johnson's only aspires to be about the American people. Most of it is high politics. The brilliant vignettes

A HISTORY OF THE AMERICAN PEOPLE

By Paul Johnson
Weidenfeld & Nicolson, £25
ISBN 0 297 81589 5

are of members of the elite — usually Presidents. There are wonderful passages on the arts and well-told episodes of low life, like the stunning of Harlem, the dumbing of Hollywood and the coming of jazz, but these are added into a narrative which treats presidential terms like reigns.

Johnson acknowledges that America is a land of small towns, but the scale of the book gives him little time to

visit them. We never see "down on the farm" or the Indian reservation. We are dazzled by the forging of a national consciousness against the odds but hardly glimpse places where it happened — like whalers, wagon trains, school buses, army camps, baseball grounds, hot-dog stands.

Although Johnson affects the impartiality of the historian — or even "the wise historian" — the book is written *parti pris* and some of the politics belongs in the *Daily Mail*. Johnson loves the diversity of America but mistrusts multiculturalism. Indians who died out or were massacred are blamed for resisting assimilation. To be preserved in amber with special "rights" and

"claims" is merely a formula for continuing friction, extravagant expectations, and new forms of exploitation by white radical intellectuals.

The best test of truth, the author rather riskily thinks, is the market. Yet the modern triumphs of investigative journalism, in Johnson's version, are hysterical scapegoat-hunting on a par with McCarthyism and the Salem witch-trials. "The propensity of the American people to be convulsed by spasms of self-righteous rage," critics who hate the book for political reasons will be able to concentrate their attacks on the errors accumulated by hurried writing and slack copy-editing.

Johnson's work has given me much pleasure but, merci-

fully, perhaps, it has not helped me to understand the country I am living in. I am surrounded by conformity without compulsion, democracy without discrimination, altruism without sacrifice, friendliness without selflessness, a class system without class warfare and freedom at a well-calculated price. The paradoxes of America make life here lovely and exciting. If ever I find a book which explains them, I shall feel — and my admiration — that I have lost some of the fun.

Felipe Fernández-Arnesto is at Brown University for the current academic year. His most recent book is *Truth: A History* (Bantam, £12.99).

CLARE FRANCIS

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This time it's only a Morris minor

Marianne Wiggins

FIFTY YEARS OF EUROPE
An Album
By Jan Morris
Viking, £20
ISBN 0 670 96387 4

For more than 50 years Jan Morris has been chronicling the world with two strokes of luck to her credit — the fact that she appears to be, by nature, a gracious and appreciative guest wherever she goes; and the fact that she belongs to a generation of souls whose lives have bridged history's current through this century. She's recorded the first ascent of Everest by an Englishman and the last descent of a united Yugoslavia's banner. And now, goaded, no doubt, by a personal imperative to sum up her years as if life's rich experiences can be folded into a neat travelogue, she has assembled a very long book of very short sketches.

An album it certainly is, in the true Latin meaning, because although the pages of this book are not materially blank, leaving through them can create a snowblindness. Like an artificial blizzard blown from a machine, Morris churns out impressionistic,

well-crafted episodes like individual snowflakes which melt away before they have a chance to mass. In a younger writer, or with a subject not as well-known by us all, this scatter-shot technique might hold some occasional surprises, but as it stands in this overlong exercise, one is forced to feel embarrassment and sympathy for Morris.

Fifty Years of Europe is neither history, travelogue, nor memoir — it reads like a looseleaf diary which has been shuffled in a gust of wind. Self-deprecating to a fault, Morris admits her prejudices, but she is less savvy in judging whether



Morris: self-deprecating despite a life of high adventure

er those prejudices are in fact her writing's limitations.

It is the essence of charm to admit, as she does, that her opinions might be jejune, but it becomes a measure of buffoonery to elaborate on them. Unfortunately, many conclusions she draws from her prejudices about Europe are too often wrong. About the devoted Scots, for example, she writes: "We have lost the fire in our bellies," somebody told me, and it was true that however patriotic the average

Scot was for most of the time, when it came to rational destinies he felt caution to be canny. Perhaps he distrusted the devil he did not know, even if it was his own; or perhaps he was just happy enough as he was, plodding down to the corner pub with his old dog following."

In the past Morris has been such a good and trusted guide that such gaffes are hard to overlook. There are some gems here, but, sadly, far too few.

Red Ray has sold the citrus groves, in which the halfway house stands, to Billie. This allows her to impose her strictures, both commercial and emotional, on her neighbours. Yet she does succumb to the gentler influences of her friends — as does Lewis — though it takes a tragedy for this to occur.

This is not a book which has a happy ending. But all the characters have gained in the telling and one does not fear for them by the end.

KATHERINE BERGEN

Stories that get under the skin

Elaine Feinstein

ON EARTH AS IT IS
By Steve Heighton
Granta, £9.99
ISBN 1 86207 814 4

THIS widely praised Canadian author of *Flight Paths* Of *The Emperor* is ambitious in a manner foreign to most contemporary writing in Britain. He likes to deal in "unfashionable earnest", as a professor observes of a student who would probably not go on to write an academic book, with "that silent roaring edge where things come into being and die". To that end, he invents a rhetoric which can set the smells of sawdust, mildew and stale beer against some apprehension of a numinous world.

He is not a man of the Enlightenment, like Julian Barnes, say, who might also have enjoyed describing the mirage of a gentle glade stocked with berries and game which deludes a group of lost Arctic explorers. Heighton has the Authorized Version of the Bible in his ears; the ambiguous echo in the title of this collection goes to the heart of the book; and there is a savage portrait of a fundamental believer, stubbornly and foolishly prepared to stand his ground against floods.

Heighton's sense of the transcendental resembles Whitman's more than Hopkins's, and the mysticism of Beat writing. A wish to write an elegy for that lost generation gives Heighton the nerve both to accept the influence of Kerouac and to write lyrically without fear of being dismissed as pretentious. The rhythms are often those of early Modernism, though Heighton keeps the movement of colloquial speech even in dazed eloquence. A cone of light thrown by a desk lamp at three in the morning, for instance, resembles a miner's lamp in the dark.

Some of the most important stories concern the meanings of the French expression, *à fleur de peau*. The narrator, a

professional translator, met the phrase first while at university; his story is framed by memories of praise from a generous woman teacher, whom he meets again in devastated old age. When his new lover declares the words mean her skin is flowering for him, he tells her that the true meaning is "skin deep". For the translator, and perhaps for Heighton, even the most erotic moments carry the voice of the dead "who seem to say everything is vanishing. Do not waste your life."

THERE are some irritants: the repeated sentences which introduce each episode of the first story, for instance. "How does it happen for the last time? The love-making." Yet Heighton's imagination of these couplings is compelling: two people in late middle age, their son at the end of a love affair; the clumsy passion of a man on the run from soldiers; and most moving of all, a sick husband with a wife so aware of his weakness that she is afraid he will die when he comes. Heighton writes amazingly well in the person of people whose experience he can only have imagined. Nevertheless, his own voice suffuses this book, and the most straightforward story in it, dealing with the love and son, suggests self-knowledge as well as an unmistakable literary talent.

Elaine Feinstein's latest poetry collection, *Daylight*, published by Carcanet, priced £6.95.

A DRYING-out clinic is not an obvious choice of subject in which to look for (never mind find) the lighter side of life. But *Round Rock* — also the title of Michelle Hunevin's novel (Granta, £9.99; ISBN 1 86207 083 0) — a halfway house for recovering alcoholics set in a citrus grove in a Californian valley, is not a bleak place. Hunevin brings together a cast of characters that do more than merely survive their tribulations.

The location is central to the plot. There is a conceit among the locals that the regular earthquakes in the area con-

tribute to life's unpredictabilities and the history of the valley unfolds parallel to the development of the characters.

Red Ray, a former lawyer who runs Round Rock, was himself a drinker. He and his wife buy a wreck of a house in the valley but she leaves him because of his drinking. After his own recovery, he founds the halfway house in what was their home.

He has a wistful personality

at odds with his burly figure: an appealing juxtaposition. Lewis, an intelligent young drunk in deep denial, is one of his residents. He is selfish and elusive and he comes near to toppling the equilibrium of the gentle local woman with whom he has an affair. Libby Daw is the ex-wife of an architect, a bully who abandons her. She is surrounded by personalities stronger than herself including the tigerish Billie, her best friend.



Stories that under the

Paul Watkins admires the courage and caution of Fridtjof Nansen, a polar explorer who lived to tell the tale

A modern Viking

The only thing about being a hero is knowing the right time to die," said Will Rogers, the cowboy prophet of American popular culture. He could have proved his point with any one of an array of polar explorers, from John Franklin to Robert Scott to Ernest Shackleton, who either died in the frozen wastelands that obsessed them, or died en route to stake their claim in the ranks of the polar immortals. An exception to this trend of heroic oblivion is Fridtjof Nansen, the subject of Roland Huntford's engaging and exhaustively researched biography.

NANSEN
The Explorer as Hero
By Roland Huntford
Duckworth, £25
ISBN 07156 2740 6

best described by Apsley Cherry-Garrard, himself a survivor of that voyage, in *The Worst Journey in the World*. Although Nansen may emerge as a less romantic figure, particularly to those with an Anglo-Saxon love of heroic failure, he nevertheless emerges alive. The significance of his survival is as important as the triumphs he achieved. Without Nansen as a counterbalance, true insight into the men who became polar explorers is impossible. Huntford's newest biography is, therefore, a welcome addition to the field of polar studies.

restlessness that characterised his generation. Nansen soon found this sedentary life too overbearing. In 1888, he departed on an expedition to cross the Greenland ice cap from east to west. With five companions, including two Lapps, or Sami, Nansen made extensive use of skis, known by Norwegians to be indispensable to winter travel across snow-bound landscapes. Nansen spent a great deal of time perfecting exactly the right type of ski. He also developed and tested a new style of sledge that could be hauled more easily by men or dogs across the ice cap. Further, he invented what is now known as the Nansen stove, vastly improving on all existing portable cookers of the day.



For once, not parted: Nansen and his wife Eva

cap, and returned home a hero to a country that badly needed one. "As we approached the harbour, and saw the castle walls and quays on all sides absolutely black with people, Dietrichson said to Ragna [the Sami], look, isn't it wonderful to see all those people?" Pretty, very pretty, Ragna replied. "If only they had been reindeer." As a figurehead for not-too-distant Norwegian independence, Nansen was perfect. "With his height, powerful build, blond hair, blue eyes and evident physical strength, he was every inch the marauding Norseman."

grown to shape and seasoned for 30 years... each 50 centimetres thick... the stern was made of three massive oak timbers, one inside the other, giving one and a half metres of solid wood fore and aft, almost 40 centimetres wide."

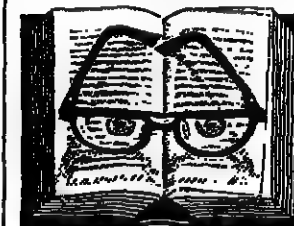
At no time is Huntford's level of investigation anything short of impeccable. The difficulty for the reader is perhaps only in maintaining an interest in the variety of Nansen's activities either before his polar days, as a scientist, or afterwards as a humanitarian, which won him the Nobel Prize in 1922.

Paul Watkins's latest novel, *The Story of My Disappearance*, is published by Faber, priced £14.99.

Quick on the draw

GOOD news: the publishing industry has abandoned National Vocational Qualifications. "Dag Smith CE of BHTC/Lead Body" (27/11) accepted that despite "restructuring and rewriting in line with NCVQ/Beaumont recommendations by Moloney & Gealy" (...), the whole scheme should be scrapped as a waste of time and money. So publishers will again be looking for graduates who know which way up to hold a book — and how to write clearly.

LEO WYATT could have been an 18th-century writing-master. Instead he was one of the master lettering engravers of our own times. Ranging from the most restrained classical



BIBLIOMANE

to the intricate and florid, his alphabets, bookplates and aphorisms are unfailingly elegant. His business files, photographs, correspondence and a number of books will be sold at Sotheby's on October 31 (estimate £5,000-£7,000).

I WISH the artist Paul Hogarth's *Drawing on Life* (£30) had not been printed on mighty white paper. His pencil drawings especially look better on the creamy, textured stock used for his *Brendan Behan's Island* (1962).

The work is uneven anyway. In his first 40 years there was, he now admits, too much bleak socialist realism, which often relies on the captions to make its point. In his second 40 years, he has preferred watercolour, allowing it to dry in pools and producing some striking studies. Many of these are best seen full-size in the Friends Room at the Royal Academy (until October 31).

Hogarth's editor at David & Charles, who insists on inserting "Beijing" after "Peking" is presumably the holder of an NVQ. It is fine to be told that Dylan Thomas used to sell typescripts of his poems in pubs, but infuriating to be told that they cost "a fiver (£5.00 each)". Wrong, too. £5/-.

HOGARTH's book is not so much autobiography as itinerary. He never stops moving. The watercolourist David Gentleman, on the other hand, goes slowly enough to absorb and appreciate what he is looking at. Calling a book *David Gentleman's Italy* is not presumptuous, for his drawings do make places his own. And Italy, as he writes, "Belvedere and vista, chiaroscuro and patina and fresco are all Italian words, perspective an Italian invention."

JIM MCCUE

Analysis after its sell-by date

A novelist looks to Mexico's future but has his eye on the past, finds.

Rachel Campbell-Johnston

This summer was an historic one for Mexico. On Sunday, July 6, the nation voted in a calm, orderly fashion for the end of seven decades of single party rule. The longest serving ruling party in the world lost its majority and Mexico's lower chamber became, in the words of one of the country's leading contemporary historians, "a great democratic laboratory of the nation".

A NEW TIME FOR MEXICO
By Carlos Fuentes
Bloomsbury, £15.99
ISBN 07475 3402 0

But this addition is rarely a cosmetic change. It is among the stones of the past that Fuentes dwells. The "new time" of his title is not that of a freshly democratic nation, but that of the blending and overlay of multiple histories which, Fuentes suggests in this volume, lie at the very heart of Mexican identity. "The mandala of time opens in four directions yet returns to a centre called simultaneity," he writes. He describes Mexico as "a country of simultaneous times, where past is present and all of history happens, or can happen, at this very moment."



A vision of old Mexico: Mandolin sellers on the street, 1941, from Mexico City, a collection of photographs by Helen Levitt (Norton, £25)

nation, through the worlds of the Mayans and Aztecs, conquistadors, revolutionaries and dictators, to build up a sprawling portrait of a country shifting between tradition and modernity. Undoubtedly Fuentes's intellectual energy is formidable. He is erudite, wide-ranging and capable of startling connections. But those who have admired his novels will find these essays intractably dense and ostentatiously cerebral. Fuentes has helped himself liberally to a real pick and mix of culture, theory and philosophy — he draws on Kierkegaard, Newton, Cervantes, Joyce, André Breton, Ernst Gellner, Mussolini and Bruce Chawlin.

Long sentences overflow with images and ideas. At their best they are tinted with the grit and enchantment of the magical realist traditions for which Fuentes's fiction is known. At times they offer unusual insight into personal experience, or into the complex political structures of an ever shifting nation. But at their worst they are just horribly pretentious.

Pullovers, teacakes and savagery

WAIT TILL I TELL YOU

By Candia McWilliam
Bloomsbury, £14.99
ISBN 07475 3404 7

for a small-mindedness which knows where everyone comes from, and what they ought not to pretend to be. To be known is a curse when the individual cannot control what is done with the knowledge. In *Carla's Face*, Carla MacDougall has escaped from island life. "No one in Stirling knew what she had started out with, or why exactly she had each feature, like the people on the island did..." Carla has also gone beyond herself, and is fatally shrivelled by loneliness. Her would-be glamour shows threadbare through the "clean blue eyes" of islander Jessie, who records without comment Carla's "mixed hair, the mauve-red of neepskins

and beetroots". It is a piercing story about the comedy of errors which any self-image is built upon, and the power of a closed community, where no one can choose to belong or not to belong. Candia McWilliam writes better in the third person than in the first. When she writes in the voices of her characters, she tends to give them an articulacy which is too like her own. The narrator of *Shredding the Iceberg* runs a seafood stall. She starts off sharp and clear, but drifts into sounding like a very good writer, which is a thing a very good writer ought always to avoid: "... the chill glittery ribbons of iceberg, the hot stubbed shell of the fritters made with crumb, the light deflatable sheen of the battered fish..."

McWilliam is much more at home when a slight distance allows her to prowl around the quirks and self-delusions of her characters, and these she observes brilliantly. "The cat



McWilliam: a deadly eye

THE death of A. L. Rowse brings to mind the story of how the old bore was bested by John Sparrow at All Souls. One night Rowse was complaining at high table that Sparrow had not kept up with his great output of pseudo-scholarly books. "I don't think you even know Tudor Cornwall," he complained. "No," replied Sparrow, turning to the philosopher on his other side, "and I don't think you know Stuart Hampshire."

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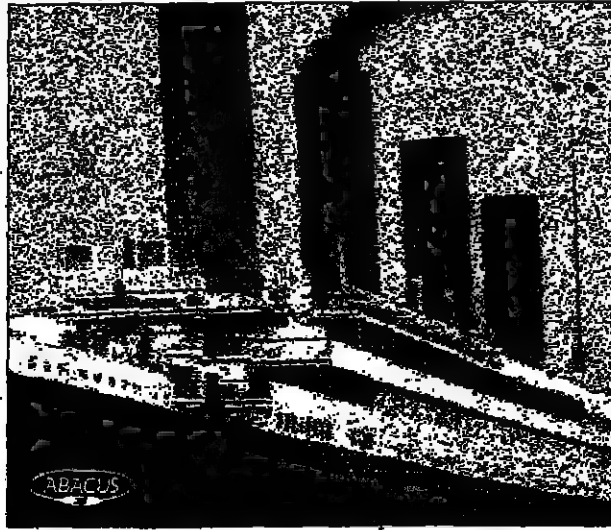
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Bargains of the week - half-board in Madeira; Halloween in a haunted village; a tour of the Ethiopian Highlands



PACK YOUR BAGS

A selection of last-minute holidays and travel opportunities at home, on the Continent and further afield, many at bargain prices.

BRITAIN

MOAT HOUSE Hotels are offering three nights for the price of two over half-term next week with 50 properties to choose from in places including Aberdeen, London and Cambridge. Free meals for children under six and discounts for your older offspring. Details: 0645 333666.

A DAY at the races and private visits feature in a weekend away with Superbreak from October 31. For £148 a person, you will visit a stud farm, tour Floors Castle, watch Kellsu Races and spend two nights with meals at the White Swan. Alnwick. Details: 0161-238 5257.

HALLOWEEN in the most haunted village in Kent is the spooky offer from Blakes Cottages, which has a cottage sleeping four in Pluckley - with 12 reported ghosts in the village - available from October 31 for three nights for £179. Details: 01282 445097.

A HIGHLAND hideaway is offering two-night breaks at a 20 per cent saving for the next eight weeks. Stay at Inverloch Castle at the foot of Ben Nevis for £149 a night and you will receive dinner, bed and breakfast and complimentary champagne. Details: 01397 702177.

TAKE to the waterways from November 1 for a bargain break with Hosesons. Prices start from £65 a person a week based on six sharing; short breaks are also available and the boats have central heating. Details: 01502 501010.

COMFY SOFAS, oriental carpets and roaring log fires are part of the ambience at the award-winning Linthwaite House Hotel overlooking Windermere, where dinner, bed and breakfast costs from £59 a person a night, minimum two nights, all next month. Details: 01539 488600.

EUROPE

TENERIFE, where winter winds have yet to blow, is available at low prices from Co-op Travelcare with a fortnight's Sunworld holiday with half-board and a flight from Gatwick next Tuesday costing £379. Two weeks self-catering with Airtours and a flight from Cardiff on the same day costs £309. Details: 0541 500388.

COPENHAGEN can be enjoyed from £163 on a four-day half-term break with Scandinavian Seaways. Sail from Harwich next Tuesday and spend two nights in the city and two on the boat in a private cabin. Details: 0990 333111.

ISTANBUL for three nights with B&B in a quality hotel and flights from Heathrow is available from £289 from Accommodation Overseas. Details: 0181-977 2984.

ALL SAINTS' DAY, November 1, in Madrid, when religious ceremonies turn into revelry, can be experienced on a three-night break with Kier Holidays. The £299 price includes scheduled

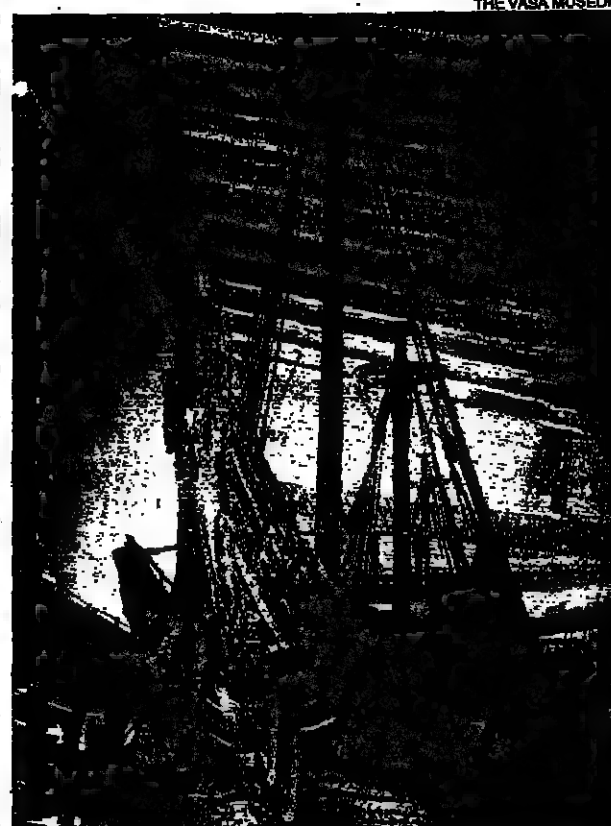
flights from Gatwick and B&B in a two-star hotel. Details: 0171-231 3333.

HORSE-RIDING in Shannon could be an ideal autumn pastime and Aile Cross Equestrian Centre is offering six nights B&B with riding for £565. Flights with AB Airlines from Gatwick available from £75 a person. Details: 00 35 39 184 1216.

FLORENCE, Venice or Pisa for three nights from £199 is on offer from Impulse Holidays with flights from Gatwick every Thursday in November and B&B in city hotels. Details: 0181-741 9007.

SKIING with a four-wheel drive is the intriguing offer included by Impulse in its packages to Andorra this winter. Book a week's holiday with half-board from £347 including flights and a Suzuki Vitara or similar off-road vehicle will be included. Details: 0181-780 4444.

MADEIRA is seldom available at discounts but Going Places is offering a week on the island for £239 with half-board and a flight from Gatwick on December 10. Details: 0541 555334.



THE Vasa, the warship which sank in 1628 and was recovered in 1961, is being joined in its Stockholm museum by 80 models of the ship. Flights to Stockholm start from £99 return and B&B from £18. Details from the Swedish Travel & Tourism Council: 0171-724 5868.

CONCERN

BAFFLED by autumn bargains available on transatlantic flights? Northwest Airlines has simplified things by cutting fares to 190 US and Canadian destinations from November 1 to December 12. New York and East Coast cities cost from £189 return and western Canada from £269. Details: 01424 224400.

JAMAICA for a fortnight for under £300 might seem too good to be true but the £299 offer is there from Virgin & Moe. However, you must be prepared to depart by Sunday on a flight from Manchester and can expect room-only accommodation. Details: 0116-250 7116.

NILE cruises are a good end-of-season bargain, offering hot weather and unbeatable monuments, with Hayes & Jarvis charging £229 for four nights' full-board. Fly from Gatwick on October 31. Details: 0181-222 7800.

GOA is on offer at £106 saving from Unifly if you join a flight from Gatwick on November 8. The 14-night B&B holiday now costs £399

but don't expect the music to play all night - you will be staying in a resort in "a quiet setting" ten minutes from the beach. Details: 0990 336336.

THE Ethiopian Highlands and the rare birds and mammals which inhabit them feature in a ten-day tour with Naturetrek, leaving London on November 28. Price: £990 including return flights, full board and an expert guide. Details: 01962 733051.

CRUISES from Florida through the Bahamas, Puerto Rico and the Virgin Islands are available for less than £1,000 from November to March with Holland America Line. Details: 0171-613 3300.

All prices are per person and based on two sharing a room, unless otherwise stated.

See The Times on Saturday for more flight bargains and last-minute holidays

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RACING: DUKE OF DEVONSHIRE'S LOYALTY HELPS WHITSBURY TRAINER ENJOY CHANGE OF FORTUNE

Toller reserves front row for classic hopefuls

By CHRIS McGRATH

WHILE less patrician owners must distinguish themselves with a tangle of stars and diagonals, the Duke of Devonshire's colours are described on the racecard simply as "straw". So when his sprinter, Compton Place, blurred them to success in the July Cup at Newmarket, it was in every sense a case of a straw in the wind. For that 50-1 triumph proved the first, startling evidence of a change in the sporting fortunes of the Duke, 71, and his trainer, James Toller.

Soon afterwards, they returned to the July Cup with an unraced colt named Teapot Row. He ran away with his maiden in promising style and subsequently captured the Royal Lodge Stakes at Ascot, earning respectful quotes in the ante-post betting on next year's classics.

Even that breakthrough, however, has not necessarily secured him the status of the most promising among 25 horses stabled with Toller at Whitsbury in Dorset.

Tomorrow Duck Row, likewise named after a line of cottages on the Duke's Chatsworth estate, returns to the scene of his impressive debut success at Newbury, for the Vodafone Horris Hill Stakes.

This promising son of Di-cas has had the option of the Racing Post Trophy at Doncaster the following day, but Toller said yesterday: "I don't want to subject him to too

gruelling a race at this stage of his career. He's still a bit of a baby, and anything this year is a bonus. I need to confirm it with the Duke, and no group race is ever easy — but I hope we're taking the softer option."

Toller, 43, can be forgiven caution as he embraces, with some incredulity, the sudden challenge of nursing even one young colt towards a possible classic campaign. The Duke's unstinting patronage has been the only bedrock to 17 years of the frustration and misfortune familiar to so many trainers, whose talents are obscured by modest material.

Even Henry Cecil can only win a Derby if he has a Derby horse, Toller said. "But you can't get away from the fact that you also need some luck."



Toller: talented team

Mine is the Duke, who should write a book for the ideal owner. Even with the orders he gives me for the sales, however, luck remains important. Some yearlings that you want you can't afford and, maybe, turn out useless anyway. I'm sure we did unsuccessfully for others before Teapot Row came into the ring."

The two men's paths first crossed when the teenage Toller was learning the ropes with Bernard van Cusem, who trained the great Partop for the Duke. But it was years later when he became involved in one of the struggling new trainers' partnerships.

"The horse split a pastern," Toller recalled. "The Duke wrote me a very nice letter, saying how sorry he was, and asking if I could spare the time, whether I could take a look at a couple of yearlings at Side Hill Stud. I was, as you can imagine, round there in a flash."

Toller, whose father, Charles, was a handicapper and clerk of the course, hit the crossbar a few times during his years in Newmarket, notably with Lord Of The Field. But he must have feared himself condemned to remain James The Obscure when, a couple of seasons ago, he took his young family down to Hardy country.

The long, laborious road, however, finally appears to have taken him to richer soil



Duck Row returns to the scene of his impressive debut at Newbury last month

— though, remarkably, his wonderful summer has not yet yielded the sort of harvest one might expect for someone who was always a decent fellow, long before he proved himself a decent trainer.

"There's been no flood of new owners, or anything," he said. "Perhaps they want to see that we can do it all again. Certainly, I need things to go right next year, one of these two-year-olds to be the busi-

ness. And don't forget Compton Place, who hasn't got the credit he deserved — he could improve again. I've got another nice pair of yearlings for the Duke too. They've got quite an act to follow."

Benny The Dip retired

BENNY THE DIP, winner of this year's Vodafone Horris Hill, has run his last race (Chris McGrath writes). The Silver Hawk, colt, gave his trainer, John Gosden, a first win in the Derby when beating the subsequent St. Leger winner, Silver Patriarch, by a short head.

Gosden said yesterday: "Benny The Dip has been retired to Cheltenham Farm, Kentucky, and will travel there at the end of October. He was a very genuine racehorse who has retired sound. Only once has he finished out of the first three."

After placed efforts behind Pilsudski and Singletree in the Coral-Eclipse Stakes at Sandown in July and York's Juddmonte International the following month, he finished

a disappointing sixth to Pilsudski in the Dubai Champions Stakes at Newmarket on Saturday. As a result, plans to run in the Breeders' Cup Turf at Hollywood Park have been abandoned.

Other than the Breeders' Cup, the next few weeks will quicken the pulse of National Hunt followers as their equine heroes increasingly retrieve the limelight from the flat — starting today, either side of the Irish Sea.

Mr Mulligan has his first race since winning the Cheltenham Gold Cup in March when he shoulders top weight in the Desert Orchid South Western Pattern Chase at Wincanton. He was well beaten on his reappearance last season, in the Rehearsal Chase at Chel-

slow. But while Noel Chance reports his stable star to be short of his peak, he believes him ready enough for this low-key first step on the road back to the Festival.

For he is opposed by just four rivals, and only the useful Gales Cavalier is in the handicap proper. If the colts are satisfactorily blown away today, Mr Mulligan will head straight to Kempton for the King George VI Chase.

At Fairyhouse today, Kiaran Davis takes his seasonal bow, under Richard Dunwoody, in the Dunstown Wood Chase. He surrendered his Queen Mother Champion Chase crown to Martha's Son last season, but should have little difficulty in a weak race.

RESULTS FROM YESTERDAY'S THREE MEETINGS

Yarmouth
Going: good.
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Overlords keeping watch on decider

Practice makes imperfect day

Wright decision pays off

US choose Crenshaw as captain for 1999

as Kyder Cup captain



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3M Health Care

BASEBALL: FINALISTS PRODUCE ONE OF THE POOREST GAMES IN WORLD SERIES HISTORY

Indians freeze on big stage



Sheffield hits a mighty home run to open the scoring for the Marlins. He also made a stunning catch during a fine all-round performance

FROM KEITH BLACKMORE IN CLEVELAND

SANTA Claus joined the crowd at Jacobs Field for game three of the World Series and he hardly seemed out of place. Santa, or possibly an impersonator, may have been two months early but in his furred coat he was certainly dressed for the weather. Only the players failed to enter the festive spirit, producing one of the poorest games played in the 94-year history of the competition.

Still, it is a cold wind that blows nobody any good and the Florida Marlins were the beneficiaries of an icy blast that swept them to a 14-11 victory over the Cleveland Indians. They lead the best-of-seven series 2-1.

Cleveland literally froze on the big occasion. Baseball may be the game for the Boys of Summer and the World Series may be the Fall Classic but no one on the shores of Lake Erie would mistake late October for anything but the beginning of winter.

The temperature at the start of the game on Tuesday night was recorded at -49F, but the

wind chill factor was put at 29 degrees. By the final inning of what was, at four hours and 12 minutes, the second longest nine-inning game in series history, it was down to 23.

Nobby, or foolishly, the losing manager, Mike Hargrove refused to blame the weather. "That was just about as ugly a game as you will ever see but I don't attribute that to the weather," he said. "It was just poor play. Both teams just outgassed each other."

He was right about the play, wrong about the weather. The freezing temperatures were clearly influential and turned what should have been a dramatic confrontation into a knockabout comedy. Each team made three errors, all of them significant and some of them laughable. The pitchers, however, were not laughing. They were too busy blowing on their hands and covering their heads in shame as one after another they failed to produce the kind of skill that brings

four pitches out of the strike zone. The Indians gave up eight walks, the Marlins nine.

Al Leiter, the Marlins starter, never got a grip and was gone before the end of the fifth inning, but by then he had already managed to commit the pitcher's cardinal sin of having loaded the bases and walked in a run, all without giving up a hit. He had also committed a fielding error that eventually cost a run. And he was playing on the winning side.

Charles Nagy, the Indians starter, left the game after six innings with a two-run lead but he had given up four walks, walked in a run and generally pitched like a man who would have preferred to be at home stacked up with a hot-water bottle.

By the time the game reached the ninth inning, the score was 7-7, the Marlins having done well to recover from being 7-3 down. Then the Indians fell apart. Marquis Grissom,

Jim Thome and Tony Fernandez all made errors on routine plays that cost runs and the Marlins added seven to their total. In the bottom of the inning, the Indians scored four themselves but it was of no significance.

Lost in all this frozen ineptitude was a performance of the highest class by Gary Sheffield, the Marlins right fielder. He hit a mighty home run to open the Marlins scoring, drove in five runs in all and made a stunning catch at the right-centre wall to deprive Thome of what would have been his second home run of the night at a time when it might have mattered. On an otherwise unhappy night for the Indians, Grissom extended his World Series hitting streak to 15 games, just two short of the record.

The Marlins at least went to bed happy, knowing that they could not lose the series without first returning to the warmth of Florida. A quick look at the weather forecast might have frozen the smiles on their faces. It was expected to be even colder for game four, with the possibility of snow showers.

MARK KING narrowly averted an unwanted mention in the snooker record books yesterday when John Higgins took only 59 minutes to whitewash him 5-0 to reach the quarter-finals of the Grand Prix at Bournemouth.

In the most one-sided match seen on television, Higgins outscored the hapless King 456-11 and, but for a rare mistake in the fifth frame, would have restricted him to the lowest points total in a world-ranking tournament.

At the 11-minute interval, King, runner-up in the Regal Welsh Open last season, had potted three reds: one in the first frame, two in the third. Higgins had played solidly, with runs of 67, 54, 55 and 54.

King had also missed a straightforward black and, presented with a gutted, break-building opportunity in the fourth, an elementary red to a middle pocket.

"It was a real nightmare," he said. "At least I'll be able to play football on Sunday morning. Every time I played safe, John seemed to knock in a long red."

During the qualifying competition for the 1992 Welsh Open, Graham Bradley, of Keighley, gained a certain

notoriety by scoring only eight points when losing 5-0 to Paul Smith.

When Higgins initiated the scoring with a break of 31, Bradley's dubious distinction was under threat. Higgins, unaware of the statistic, then over-cut a black.

By potting red and black, King escaped the ignominy and occupied his previous highest break of the match. He then missed the next red.

There was a sense of déjà vu when Higgins, the world No 2, finished ruthlessly with a break of 53. At the same venue in February 1995, in the

corresponding round of the International Open, he had outscored Ken Doherty, the present world champion, 455-34 during another 5-0 victory.

The manner of Higgins's win yesterday was in marked contrast to his third-round encounter with Quinten Hann, of Australia, whom he defeated 5-4 after being 4-1 down.

"What happened against Quinten gave me a kick up the backside," Higgins said. "I did everything right and everything went wrong for Mark. He just didn't seem to settle down at all."

Higgins will meet Tony Drago or John Read for a semi-final place.

Chris Small rallied from 2-0 down to beat Alfie Burden 5-2. It is the first time that Small, the world No 25, has figured in a ranking event quarter-final for almost three years. He goes forward to meet Dominic Dale.

Embassy, sponsors of the world championship since 1976, are to sponsor the world-ranking list, which, unlike previous years, will be updated after each of the eight relevant tournaments this season. Ad hoc awards will be made to rapid climbers.

JOHNNY NELSON, the Sheffield cruiserweight, will have to defend his European title in Chernobyl, Nelson, who has appeared in almost every boxing capital in the world, would normally not have any qualms about entering the other man's back yard, but this time he would have been happier if Frank Warren, his promoter, had won the purse bid and given him home advantage.

Nelson is not looking forward to meeting his opponent, Alexander Gurov, of Ukraine, in or near Gurov's home town. When Nelson heard that Frank Maloney, Warren's bitter rival, had decided to stage the bout in the area that produced fallout that affected northern Europe, he said: "Oh my gosh. I can't understand why he wants to put it [the contest] on there."

"I don't think I'll go there too early for the build-up,



King: nightmare defeat

simply fly in the day before and fly out immediately after the fight. What is the water and the food like there? Is it safe? I think I'll take two suitcases, one with my clothes and the other with food and water.

"I'm not normally bothered about fighting in the other chap's back yard. I have

sparred with Gurov, but this is different. They are taking a big gamble putting him in against me. I am more scared of the enemy I can't see than the enemy I can. But I suppose it's safe enough to fight there. When you are in the ring, you can be anywhere in the world."

Maloney said that he had made the decision to go to Chernobyl because Gurov boxes under his banner. "I've got to give my boxer home advantage," Maloney said. "It's 50 kilometres from Chernobyl. But I am going to find out if it is safe to box there. If it is not, we won't go there."

Nelson said: "If Gurov likes fighting in his home town, why doesn't he live there?" The Ukrainian, who is a former European champion and has a record of only two defeats in 21 contests, lives in Paris and trains in London.

SHEEHAN on BRIDGE

BY ROBERT SHEEHAN, BRIDGE CORRESPONDENT

Today's hand is straightforward — all declarer had to do was make a plan. Brian Jackson, one of the best players in the £10 game at TGR's, benefited from declarer's failure to do so.

Dealer West East-West game Rubber bridge

♠ A84 ♠ KJ85 ♠ 1073 ♠ QJ54 ♠ 1073 ♠ QJ54 ♠ 1073 ♠ QJ54

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♣ A84 ♣ KJ85 ♣ 1073 ♣ QJ54 ♣ 1073 ♣ QJ54 ♣ 1073 ♣ QJ54

Contract: Four Spades by South. Lead: queen of hearts

Declarer has six tricks in spades and three in hearts. So to make a tenth he has to assume East has the ace of diamonds. At the table declarer won the heart lead with the ace and led the king of spades. Jackson (West) ducked, and took the next spade. He continued with a second heart that declarer had to win in dummy. Whether he played a diamond or a club, East could get in to give West a heart ruff, and the contract went down.

As Jackson points out, all declarer had to do was win the first heart in dummy. Now if West ducks the first spade, declarer continues the suit; the difference is that he can win

KEENE on CHESS

BY RAYMOND KEENE, CHESS CORRESPONDENT

Kramnik's novelty

Vladimir Kramnik can also be well pleased with his performance at Tilburg, one which reinforces his claims to be the rightful challenger to Garry Kasparov's throne. In today's game, Kramnik tries a new method in a well-known line of the Nimzo-Indian Defence. White is surprisingly subjected to a king-side attack, which Kramnik duly translates into an enduring grip for the endgame.

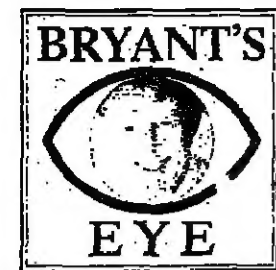
White: Joel Lautier Black: Vladimir Kramnik Tilburg, October 1997

Nimzo-Indian Defence

1. d4 ♠ Nf6 2. ♠ c3 ♠ Bb4 3. ♠ f3 ♠ Bxc3 4. ♠ g3 ♠ Bg4 5. ♠ h3 ♠ Bxf3 6. ♠ g4 ♠ Bg4 7. ♠ f4 ♠ Bxf3 8. ♠ e5 ♠ Bxf3 9. ♠ d5 ♠ Bxf3 10. ♠ c4 ♠ Bxf3 11. ♠ b3 ♠ Bxf3 12. ♠ a4 ♠ Bxf3 13. ♠ a5 ♠ Bxf3 14. ♠ a6 ♠ Bxf3 15. ♠ a7 ♠ Bxf3 16. ♠ a8 ♠ Bxf3 17. ♠ a9 ♠ Bxf3 18. ♠ a10 ♠ Bxf3 19. ♠ a11 ♠ Bxf3 20. ♠ a12 ♠ Bxf3 21. ♠ a13 ♠ Bxf3 22. ♠ a14 ♠ Bxf3 23. ♠ a15 ♠ Bxf3 24. ♠ a16 ♠ Bxf3 25. ♠ a17 ♠ Bxf3 26. ♠ a18 ♠ Bxf3 27. ♠ a19 ♠ Bxf3 28. ♠ a20 ♠ Bxf3 29. ♠ a21 ♠ Bxf3 30. ♠ a22 ♠ Bxf3 31. ♠ a23 ♠ Bxf3 32. ♠ a24 ♠ Bxf3 33. ♠ a25 ♠ Bxf3 34. ♠ a26 ♠ Bxf3 35. ♠ a27 ♠ Bxf3 36. ♠ a28 ♠ Bxf3 37. ♠ a29 ♠ Bxf3 38. ♠ a30 ♠ Bxf3 39. ♠ a31 ♠ Bxf3 40. ♠ a32 ♠ Bxf3 41. ♠ a33 ♠ Bxf3 42. ♠ a34 ♠ Bxf3 43. ♠ a35 ♠ Bxf3 44. ♠ a36 ♠ Bxf3 45. ♠ a37 ♠ Bxf3 46. ♠ a38 ♠ Bxf3 47. ♠ a39 ♠ Bxf3 48. ♠ a40 ♠ Bxf3 49. ♠ a41 ♠ Bxf3 50. ♠ a42 ♠ Bxf3 51. ♠ a43 ♠ Bxf3 52. ♠ a44 ♠ Bxf3 53. ♠ a45 ♠ Bxf3 54. ♠ a46 ♠ Bxf3 55. ♠ a47 ♠ Bxf3 56. ♠ a48 ♠ Bxf3 57. ♠ a49 ♠ Bxf3 58. ♠ a50 ♠ Bxf3 59. ♠ a51 ♠ Bxf3 60. ♠ a52 ♠ Bxf3 61. ♠ a53 ♠ 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Tough training regime could account for world records

China's secret may be hard graft



Bananas or turtle blood? Drug rumours or unlikely explanations? What should you be swallowing if you want to learn the secrets of athletic success?

These are questions that lie behind two great sporting mysteries of the week: first, how is it that the Chinese women seem able to step out of nowhere to destroy world records at will? And second, why are thousands of Western sportsmen and women willing to pay so much for drinks that may be little more than sugar and water?

China's women distance runners are at it again. This week saw a phenomenal women's 5,000 metres at the National Games in Shanghai, with the first three across the line smashing the world record. The winner was a girl of 17, Dong Yanmei, who ran 14min 31.27sec.

Don't like her team-mate, Jiang Bo, now appears to be sponsored by Nike, to judge from the logos on her Western-looking kit. Both are coached by the extraordinary Ma Junren.

This is a fine comeback for Ma after serious illness. Four years ago he fuelled rumours at the world championships in Stuttgart when three of his protégés came from nowhere to dominate the middle and long distance events. They went on to set world records at 10,000 metres, 1,500 metres and, most spectacularly, 3,000 metres — in which Wang Junxia ran 8:06.11. Ma confused all sensible reporting of his methods by saying that he gave his squad concoctions of caterpillar, fungus, and the blood of freshly-killed turtles.

Of course, records in any sport are there to be broken. But when the Chinese top more than five seconds off a record, and when not one, but three, better the old mark, they seem to spit in the eye of statistical athletics history.

Doubts about whether such performances are legally possible have been pumped up by recent Chinese breakthroughs in weightlifting and swimming. Eighteen weightlifting world records have been broken at these Games and in swimming the world records for the 200 metres medley and 400 metres medley were crushed. So it is not surprising that the latest achievements of Ma's squad have prompted bleating for more drug testing. "Come and test my runners any time," Ma has said.

The athletics authorities



Recent world record contributors to the great haul of China: Dong Yanmei, left, Xin Feng, right, and Wu Yanyan.

should take him up on his invitation. They should be in China, and in thousands of other training camps worldwide, using the latest science, and in particular blood testing, to restore credibility. The present testing procedures are crude, timid and ineffective.

However, the experts should be prepared to discover that the Chinese may simply be giving us a glimpse into the 21st century — a vision of the performances that can be expected once women unleash their true potential.

When the facts are examined, the achievements of Ma and his gang are far from impossible. China has only recently come out of sporting isolation, and the amount of raw material, the sheer size of the pool of talent, is breathtaking. They have a population of more than a billion, and an extensive network of well-funded sports schools.

In the 21st century great women runners may step out of China just as men's distance runners are now coming out of Africa. Ma Junren brings to this reservoir of talent his own expertise. Far from being some unorthodox peasant who relies on turtle blood, he has made a life-time study of training.

Some of his theories may make him sound like a crank, but when he talks of taking his athletes to watch the way deer, horses and ostriches move, he sounds very like the great Australian coach, Percy Cerutti, who guided Herb Elliott to world records nearly 40 years ago.

Ma has his athletes in training camps for more than

ten months of the year. They regularly run more than 20 miles a day in two or three sessions and are kept well away from late nights and boyfriends.

They train in groups. They train hard. And if some fall ill or are injured, others will take their place. A few will make it to the top.

The times posted by these athletes this week are great, but by no means impossible. There is no reason to believe that girls running 150 miles a week, with spells at altitude, should not be capable of running around 14min 30sec for 5,000 metres. Zola Budd ran 14:48.07 in 1985. I am convinced that she had not exhausted her potential.

This record is a soft one, and while it may be that the Chinese are cheating, the rest of the world should not use suspicion as an excuse for not trying to match them.

A report this week expressed astonishment that so many sportsmen and women are prepared to pay up to £150 for so-called "sports drinks" that are little more than sugar-laden squash. Most people, the report concluded, would be better off munching a banana.

Most people, of course, would be better off simply training harder, and quenching their thirst with water. The hard truth is that the secret of Ma Junren's success probably lies somewhere in the tough miles that his girls churn out week after week, not in what they eat or drink. You don't get that kind of fitness from turtle blood — or bananas.

JOHN BRYANT

"The testing procedures are crude, timid and ineffective"

SWIMMING

ASA increases fees to stave off financial difficulties

THE Amateur Swimming Association (ASA), faced with a warning that it could be £900,000 in the red in 1997-98, plans to increase its membership fees by 500 per cent next year. The body is expected to reveal a deficit of more than £200,000 for the present year.

The increase in fees is designed to avoid the sort of problems experienced by the British Athletic Federation, which revealed last week that it had gone into administration with a £530,000 deficit and monthly running costs of £130,000.

The ASA aims to increase revenue from members by about £750,000. From January 1 1998, it plans to raise its basic fee from 60p a year to £3 for a

membership of about 270,000, which translates to an additional income of almost £650,000. The competition registration fee, for about 50,000 members, will also be raised, from £8 to £10, raising an extra £100,000.

Many clubs have expressed their concerns about the plans. A spokesman for one small club in the south of England has said: "Our competitors already pay some £400 a year in training fees. That's without travel and hotels for competitions."

The club has called on the ASA to seek internal cost savings from what one leading coach described as a "runaway" budget. "Their ex-

penses for cars, their mobile phone bills, trips for almost as many officials as swimmers to the European championships in Seville and now we're told there's a new administration post at £30,000 a year or so — their costs are astronomical," the coach said.

The recommendations of the ASA working party that looked into the finances of the association do not appear to have been fully taken up. The party's original report suggested a tiered structure of membership fees, to include club helpers who pay no fees at present.

The report also states that "closure might be the least painful option" for the ASA's SwimGB merchandising operation, which incurred massive start-up costs in its first three years.

The association is sensitive to complaints about its budget, coming as it does during a costly inquiry into Hamilton Bland, the television commentator who is ASA facilities consultant and acts as promoter of the ASA awards scheme. This year it has received £2 million of ring-fenced National Lottery money and boasts of securing "£155 million of lottery money for 87 new exciting projects around the country, £66 million more than any other sport in Britain".

David Sparkes, the chief executive of the ASA, is to embark on a tour of English counties next month to explain its plans to ASA members. The fee increases will be voted on at the ASA Council meeting in February, and, if adopted, will be adopted.

WORD-WATCHING

Answers from page 43

BIGHA

(a) A measure of land-area in India varying locally from a third of an acre to an acre. The Hindi word. "It would be a noble sheet of water, and very profitable, as it would irrigate upwards of 10,000 bighas of rice."

FOO-FOO

(b) Also *fu-fu* and *fu-fu*. A kind of dough made out of plantains. A traditional food of Negroes on both sides of the Atlantic. Of West African origin. Recorded in Twi, Ewe, Wolof, etc.

ADRET

(a) A (mountain) slope which faces the sun. From the Old French *adret* = *adroit*. "The valley has an east-west trend and so a well defined adret (sunny) side and ubac (shady side)."

CHUREL

(b) In India, the ghost of a woman who has died in child-birth, believed to haunt lonely places malevolently and to spread disease. Adaptation of the Hindi *churil*. Rudyard Kipling, *Aim*, 1901: "A churel is the peculiarly malignant ghost of a woman who has died in child-bed. She haunts lonely roads, her feet are turned backwards on the ankles, and she leads men to torment."

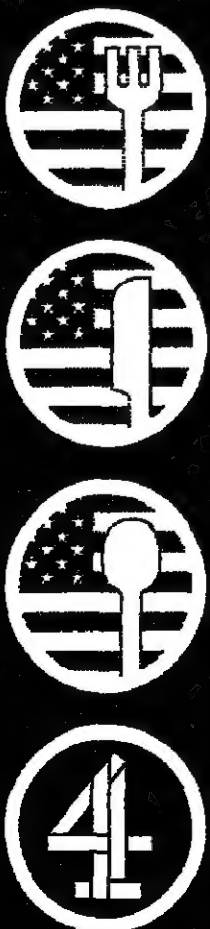
SOLUTION TO WINNING CHESS MOVE

1 Rxc3 Qxc3 2 Qg6 and mate inevitably follows. 2... Qc1 3 Kh2 changes nothing.

Plates from the states.

The United Tastes of America. A tour of American cuisine with Dorinda Hafner.

Tonight 8.30pm



Not so new South Africa

Lonely Planet Channel 4, 8.00pm

The backpack show is tonight presented by Justine Shapiro and charts her trek across South Africa and the mountain kingdom of Lesotho. Unusually in this series the host is on familiar ground. Shapiro was born in South Africa, though she left it at the age of three. Covering large swaths of the country in a half-hour programme means that no sooner has Shapiro touched ground in one place than she is off to another. But by doing so many things, from visiting Nelson Mandela's prison cell to riding an ostrich, she is able to evoke the diversity of a vast country. The unstated conclusion is that despite the end of apartheid, not much has changed. Blacks continue to live in squatter camps and Afrikaners think they should still be in charge.

United Tastes of America

Channel 4, 8.30pm

Having covered African and Caribbean cuisine in previous series, the food writer Dorinda Hafner takes her unquenchable enthusiasm and beaming smile to the United States. American food is largely what immigrants have introduced to the country, and many kinds of immigrant means many kinds of dish. But the favourite American cuisine, we are told, is Italian and Hafner begins her survey in the Italian quarter of Boston. Here she finds excitable Italian-Americans making chases and pastries as if they were still in their Sicilian hill towns. No only Hafner is three times larger than life. So is almost everybody else she meets. It makes for a very jolly half hour, finishing up with a visit to an "Italian" fishing port and a boisterous lobster meal in celebration of St Peter, the patron saint of fishermen.

Thief Takers

ITV, 9.00pm

It may be unfortunate for *Thief Takers* that Channel 5 has revived the show often cited as its 1970s forerunner. *The Sweeney* (currently playing on Mondays) may have overdone the rough stuff but it had a wonderfully mordant humour and John Thaw's truculent Pagan was a character memorable for more than his flared trousers and kipper ties. *Thief Takers* is delivered efficiently and



Boston-made ricotta cheese (C4, 8.30pm)

with some visual style and is just the thing for those who like their stunts raw and authentic. But of relieving humour it has none and the squad has tended to be an amorphous group from which individuals have struggled to emerge. Stronger characterisation is a promise of this new series, which sees several changes in personnel including a new boss played by Nicholas Bell. The opening episode is a typically tough and noisy affair, set on and around Battersea Power Station.

Horizon: Dawn of the Clone Age

BBC2, 9.25pm

The announcement in February of Dolly the cloned sheep produced a worldwide reaction, much of it hysterical. In ten days the research institute in Edinburgh received more than 2,000 calls from the media. Dr Ian Wilmut, one of the scientists involved, says he was lucky to get away without a heart-attack or a nervous breakdown. Deborah Cadbury's film is a welcome corrective. It points out that Dolly came not from some wild attempt to turn science fiction into fact but serious science. Dolly's creators were thinking not about human clones, or spare-part surgery, but a treatment for diseases such as haemophilia and cystic fibrosis. On the way the *Edinburgh* team was nearly outstaged by an experiment with cloned cows in Texas. Cadbury presents the story clearly and coolly, concentrating on the science but fully alive to ethical fallout.

Peter Waymark

RADIO CHOICE

Goodbye Kiss

Radio 4, 11.00pm

A moving short play by Ronald Harwood, which has an introduction by the author evoking the terrible price in human relationships imposed by apartheid. Harwood's statement that "it is perhaps easier to ask for forgiveness than to be forgiven" goes to the core of the play and hints at its climax. Donny, a famous artist, returns to Cape Town with a painting, a gift for Annie, the black woman who helped to raise him. The painting shocks Annie, for it shows Donny as he sees himself, an ageing, careworn man in his shadow. But Donny has come to compensate for something missed out as well as to give, and the two explore their old relationship as Donny leads up to his request. Peggy Phango and Tom Courtenay turn in excellent performances.

RADIO 1

6.30am Kevin Greening and Zoe Ball 9.00 Simon Mayo 12.00 John Peel 1.30pm Debbie Thompson 3.00 Ed Stewart 5.45 John Dunn 7.00 David Allen's Country Club 8.00 Paul Jones 9.00 Scott Brown 9.30 News 10.00 Today's the Day 10.30 Richard Ainsworth 12.00am Steve Madden 3.00 Cosmo's Move

RADIO 2

6.00am Alan Lester 7.30 Sarah Kennedy 9.30 Ken Bruce 11.30 Bruce Springsteen 1.30pm Debbie Thompson 3.00 Ed Stewart 5.45 John Dunn 7.00 David Allen's Country Club 8.00 Paul Jones 9.00 Scott Brown 9.30 News 10.00 Today's the Day 10.30 Richard Ainsworth 12.00am Steve Madden 3.00 Cosmo's Move

RADIO 5 LIVE

6.00am The Breakfast Programme 9.00 The Magazine with Nick Campbell 12.00 Midday with Mark 2.00pm Race on the Line 4.00 Inside Edge 5.00 Sportsweek with Alison Boyd 5.30 Sportsweek 10.00 News 11.00 News Extra 12.00 News 2.00pm All Night with Fred Sharp 5.00 Morning Reports

VIRGIN RADIO

5.00am Jeremy Clark 7.00 Chris Evans 10.00 (FM) Robin Beck (AM) Graham Dene 1.00pm (FM) Nick Abbot (AM) Nicky Harris 4.00 News 11.00 (FM) Paul Oyster (AM) Graham Jones 10.00 Mark Forrest 2.00am Richard Porter

TALK RADIO

6.00am Paul Rose and Carol McGiffin 9.00 Scott Chisholm 12.00 Lorraine Kelly 2.00pm Tommy Boyd 4.00 Peter Daley 7.00 Anna Rostom 9.00 James White 1.00pm Ian Collins

RADIO 3

6.00am On Air, with Andrew McGregor. Includes Schreik (Wes Berglund), Di Doh, Symphonies, Sacral, Bachmanow (Piano Concerto No 4 in G minor), Fauré (Romance for Strings), Fauré (Poème d'un Jour), Brahms (Variations on a Theme by Haydn) 9.00 Morning Collection, with Peter Hobbay. Includes Handel (Tosca), Verdi (Otello), D. O. 9 (No 5), Stravinsky (Three Movements from Petruska), Fauré (Poème d'un Jour), Brahms (Variations on a Theme by Haydn) 10.00 Musical Encounters, with Gerald Linn. Includes Mendelssohn (Piano Concerto No 2), Mahler (Requiem, Op 75), Haydn (Symphony No 91 in G flat), Tchaikovsky (Op 18 in the Blue), Liszt (Piano Concerto No 3), Shostakovich (Symphony No 6 in B minor, Op 54), Debussy (Les Tierses Allures, La Puente del Viento), Haydn (Symphony No 91) 12.00 Composer of the Week: Walton. 1.00pm In Repertory. The Times opera critic, Rodney Milnes, talks to the German baritone Dietrich Fischer-Dieskau about performing Verdi's *Falstaff* on stage and on record 2.00 The BBC Orchestra, BBC Philharmonic. Includes Maxwell Davies (Overture), Tchaikovsky's *Swan Lake*, under the composer, Rouse (Bachus et Ariane) under Yan Pascal Tortelier, Bruch (Violin Concerto No 1 in G minor), Shostakovich (Symphony No 9), under Peter Maxwell Davies, with Oliver Charles, violin 4.00 Ensemble, with Penny Gore (j) 4.45 Music Machine. Tommy Pearson investigates

RADIO 4

5.55am (LW) Shipping Forecast 6.00 News Briefing 6.10 Farming Today 6.25 Prayer for the Day 6.30 Today 6.45 Dear Bill W.F. Deedes recalls the Cornish 'delect' in the first edition of 1974 (4/5) 8.58 Weather 9.00 News 9.05 Face the Facts, with John Wain and his team of investigators 9.30 First Person Plural. Three audio diaries from a police officer, his partner and his boyfriend (2/4) 10.00 (FM) News: Tales from the Islands. Joseph Conrad's stories of the Malay Archipelago, dramatised by Lindsay Clarke. With John Nettles and Martin Shaw (4/4) 10.00 (LW) Daily Service 10.15 (LW) On This Day, with Geoffrey Wheeler 10.30 Woman's Hour, with Jenni Murray 11.30 From Our Own Correspondent. News from BBC reporters around the world 12.00 News: You and Yours, with Mark Whitby 12.25pm Out of Order. Patrick Hannon chairs the political quiz, with team captains Michael White and Austin Mitchell, MP 12.58 Weather 1.00 The World at One, with Nick Clarke 1.40 The Archers (j) 1.55 Shipping Forecast 2.00 News: Thursday Afternoon Play: The Boy Who Thought He Was an Elephant, by John McClelland. With Adam Stewart, John Hewitt and Brenda Winter 3.00 News: The Afternoon Shift, with David Jessel 4.00 News 4.05 Kaleidoscope. Paul Vaughan reports on a new ENO production of Janacek's opera *From the House of the Dead*, and reviews Orhan

Analyst: The Politics of Emotion

Radio 4, 8.00pm

Brian Cathcart introduces an attempt to discover, in the relative calm imparted by the passage of time, whether the outpouring of grief when Diana, Princess of Wales, died indicated a real, as opposed to a temporary, change in the national psyche of a people not previously famous for being outgoing. Or was the nation's surprising behaviour in part whipped up by the media, thus demonstrating that there has been a sea change in the way the media reports events? The programme tries to understand whether these changes have implications for policy-makers and indeed for democracy itself, a more involved public can improve democracy, but it can also pose a threat by making democracy less stable.

Peter Barnard

WORLD SERVICE

6.00am Newsday 6.30 Europe Today 7.00 News 7.15 The World Today 7.30 Meridian Newsday 8.00 News 8.15 On the Shelf. The Portrait of a Lady 8.30 Composer at the Month 9.00 News: News in German (6/5 only) 9.15 News by Thought 9.15 Ed-Parade by a Bear 9.25 Psychologically Speaking 9.30 Pop the Question 10.00 News 10.05 World Business Report 10.15 Poems by Poe 10.30 BBC English: World Business Report 10.45 Sports Roundup 11.00 Newsday 11.20 Discovery 12.00 Newsday 12.30pm History Today 12.45 From Our Own Correspondent 1.00 News: News in German (6/4 only) 1.05 World Business Report 1.15 Britain Today 1.30 Record News 1.45 Sports Roundup 2.00 Newsday 2.00 News: News in German (6/4 only) 2.05 World Business Report 2.15 Britain Today 2.30 Record News 2.45 Sports Roundup 2.50 Newsday 3.00 News: News in German (6/4 only) 3.05 World Business Report 3.15 Britain Today 3.30 Record News 3.45 Sports Roundup 3.50 Newsday 4.00 News: News in German (6/4 only) 4.05 World Business Report 4.15 Sports Roundup 4.30 Europe Today 5.00 Newsday 5.30 Europe Today

CLASSIC FM

6.00am Alan Martin 8.00 Nick Bailey. Includes the Classic Masterpieces 1.00pm Request Hour with Jane Jones 2.00 Concerto. Tchaikovsky (Concert Fantasy for Piano and Orchestra) 3.00 John Clark 7.00 Newsnight with John Humphrys 7.30 Sonata. Beethoven (Cello Sonata No 5 in C) 8.00 Evening Concert. For Fantasia, Op 54; Beethoven (Cello Sonata in F minor, Op 5 No 1); Bruch (Concerto for Clarinet and Violin, Op 88); Schubert (Grand Duo Sonata in C) 10.00 Michael Nephin 2.00am Concerto (j) 3.00 Mark Griffiths

RADIO 5

6.00am On Air, with Andrew McGregor. Includes Schreik (Wes Berglund), Di Doh, Symphonies, Sacral, Bachmanow (Piano Concerto No 4 in G minor), Fauré (Romance for Strings), Fauré (Poème d'un Jour), Brahms (Variations on a Theme by Haydn) 9.00 Morning Collection, with Peter Hobbay. Includes Handel (Tosca), Verdi (Otello), D. O. 9 (No 5), Stravinsky (Three Movements from Petruska), Fauré (Poème d'un Jour), Brahms (Variations on a Theme by Haydn) 10.00 Musical Encounters, with Gerald Linn. Includes Mendelssohn (Piano Concerto No 2), Mahler (Requiem, Op 75), Haydn (Symphony No 91 in G flat), Tchaikovsky (Op 18 in the Blue), Liszt (Piano Concerto No 3), Shostakovich (Symphony No 6 in B minor, Op 54), Debussy (Les Tierses Allures, La Puente del Viento), Haydn (Symphony No 91) 12.00 Composer of the Week: Walton. 1.00pm In Repertory. The Times opera critic, Rodney Milnes, talks to the German baritone Dietrich Fischer-Dieskau about performing Verdi's *Falstaff* on stage and on record 2.00 The BBC Orchestra, BBC Philharmonic. Includes Maxwell Davies (Overture), Tchaikovsky's *Swan Lake*, under the composer, Rouse (Bachus et Ariane) under Yan Pascal Tortelier, Bruch (Violin Concerto No 1 in G minor), Shostakovich (Symphony No 9), under Peter Maxwell Davies, with Oliver Charles, violin 4.00 Ensemble, with Penny Gore (j) 4.45 Music Machine. Tommy Pearson investigates

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FREQUENCY GUIDE. RADIO 1. FM 97.8-99.8. RADIO 2. FM 98.0-99.2. RADIO 3. FM 90.2-92.4. RADIO 4. FM 92.4-94.8. LW 198. MW 720. RADIO 5 LIVE. MW 603, 905. WORLD SERVICE. MW 642. LW 1245-5.55am. CLASSIC FM. FM 100-102. VIRGIN RADIO. FM 105.8. MW 1197, 1215. TALK RADIO. MW 1053, 1058. Television and radio listings compiled by Peter Dear, Ian Hughes, Rosemary Smith, Susan Thomson, Jane Gregory and John McManus.



MOTOR RACING 42
Michael Calvin meets the godfather of Formula One

SPORT

THURSDAY OCTOBER 23 1997

BRYANT'S EYE 46
Chinese women: the secret of their phenomenal success



Ivanisevic beats hasty retreat to provoke protest from angry crowd

Henman handed easy passage

FROM JULIAN MUSCAT
TENNIS CORRESPONDENT
IN STUTTGART

TO a cacophony of jeers and whistles, Goran Ivanisevic stalked off the court during his match with Tim Henman here yesterday, citing injuries to his arm. As volatile as he is talented, Ivanisevic had already tested the patience of Romano Grillotti, the umpire, with his trademark bouts of petulance.

He was one transgression short of being defaulted when, trailing by a set and 2-0, he promptly left the court — giving Henman a third-round match today with Jonas Bjorkman, of Sweden.

A densely populated Schleyer-Halle did not sympathise with the official explanation. They had seen Ivanisevic serve beyond 125 miles per hour for the 39 minutes that he was on court. They had seen him hurl his racket in frustra-

Results 43
Defence of the realm 45

tion, thrash a dead ball into the net, launch another into the rafters at the sheer ineptitude of his performance. If this is the sort of tennis that fans clamour for, they would be as well entertained at a football match between grudging teenagers.

Evidently, Markus Guenthardt, the tournament director, was aware of Ivanisevic's state of mind from the outset. He later indicated that the prospect of Ivanisevic completing the match was open to question. Certainly the haste with which the Croat's exit was explained over the public address system was indicative of official awareness at the crowd's displeasure. Further heckling greeted the announcement: Ivanisevic was himself unsure of the nature of his injuries. Whatever their root, and whatever their extent, his inability to complete the match — coupled with the defection, through injury, of Thomas Enqvist before he even struck a ball — hardly squares with the ATP Tour's recently-stated objective to



Henman concentrates on a backhand return during his truncated match with Ivanisevic. Photograph: Clive Brunskill/Allsport

move the game more towards its dwindling fan base.

In this respect the players are not wholly to blame. Virtually to a man, this star-studded field is engaged in the headlong rush towards the ATP world championship in Hanover next month. Non-attendance at this Eurocard Open, or the Super 9 tournament in Paris next week, would effectively eliminate them from contention. Con-

trary though it runs to suggest it, perhaps a boxing-style riot of the type sometimes provoked by a fighter's evident lack of fitness might serve to focus official minds on this unsatisfactory state of affairs.

Of course, Ivanisevic testified eloquently to the problems that also prompted his withdrawal in Ostrava last week, when the same injury prevented him from completing his semi-final against Karol Kucera after he had dropped the opening set. He faced a similar predicament here as Henman swept through the first set in 32 minutes. The Great Britain No 2 was infinitely more se-

cure than he had been the previous day, although only after he had produced an opening service game rare in composition to anyone but himself.

It contained three aces, two double faults, six deuces and six break points for Ivanisevic — the last of which he converted. Perversely, to judge by the bite that Ivanisevic generated on his returns, Henman seemed destined for a torrid afternoon. That he immediately redeemed the break reflected the unpredictable course of the match.

"He broke me in the first game and I sat down at the change of ends a bit gone

mentally," Henman said. "So there I am, trying to contain myself and then, in his first service game, I break back. There is the role reversal right there. I think that is where his frustration came from. Once I could see he was a bit fragile, I thought there may be an opportunity." When it arrived, Henman seemed unaware of Ivanisevic's impending concession. "I saw that he pulled out [in Ostrava], but having said that, I saw quite a few serves fly past me at 200kph today. If he hit one shot and something suddenly went, that is a different situation."

Ivanisevic was due to undergo a scan late last night in an effort to identify his injury. "It is painful, I don't know why I played. I wanted to play so badly and then, in the end, I just made myself look stupid and they were booing me," he said. "But I don't care. Hopefully my injury is not so bad." It will be interesting to see whether he recovers sufficiently to play in Paris next week.

One match free of controversy was Boris Becker's defeat in straight sets by Richard Krajicek. Since being knocked out of Wimbledon in July, Becker has been talking about voluntarily handing the baton to Germany's younger players. He has little choice in the matter now; this defeat

ensured that his compatriot, Nicolas Pietrangeli, will head the German rankings when the world order is revised on Monday. But for the intermittent intrusions of Michael Stich, Becker has reigned in his homeland for the past 12 years.

Another chance missed by BBC

BY DAVID POWELL

HOW many times have you heard Alan Hansen or John Motson talk about missed chances? But the BBC itself is sometimes lacking in front of open goal. When Ireland were drawn to meet Belgium in the play-offs for the World Cup finals, it was Channel 5 who snapped it up.

Channel 5 announced yesterday that it would be showing both legs live in mainland Britain, on October 29 and November 15.

Although BBC schedules are set months ahead and the Ireland match would attract only an estimated four million viewers, this was an opportunity to show that it is doing all it can to provide live coverage. Now that the FA Cup has gone to TTV, Liverpool's UEFA Cup ties, and the European finals are the only live football on the BBC this season.

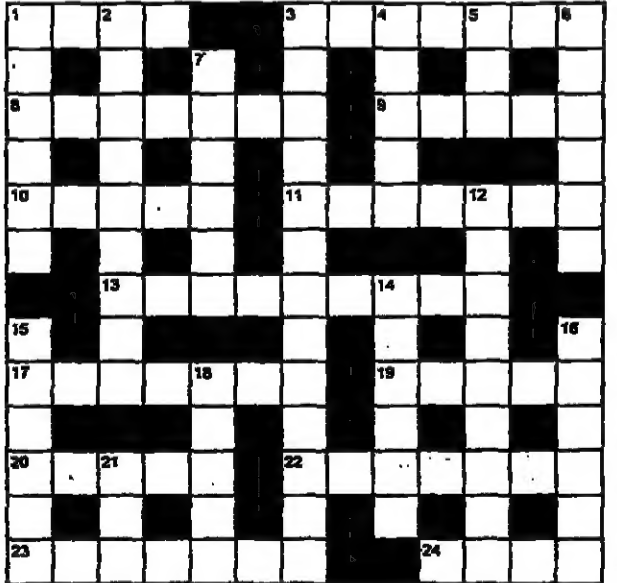
Channel 5, having begun with England's World Cup match against Poland in May, took on Newcastle United, Chelsea, Arsenal and Aston Villa in Europe this season. On the day England played Poland, Channel 5 also showed the national rugby union team playing Argentina.

There will be no England rugby union matches on BBC this winter, except for the Calcutta Cup, and that only because of the contract it has to show Scotland, Ireland and Wales matches. The BBC gave up Rugby Special after last season so the sport's followers will now be switching to Channel 5, which has responded with Rugby Express, a Sunday magazine programme.

"Sport was not top priority when we launched but, having seen how well the England v Poland match did, it became more of a priority," Gary Double, the Channel 5 spokesman, said. "At the moment we are averaging between 3 and 4 per cent of audience share and football is getting us close to 20 per cent."

A BBC spokesperson said: "We did not make a bid. One of the legs clashed with our commitments to other sports."

TIMES TWO CROSSWORD



No 1232

- ACROSS
- 1 Invalid; a blank (4)
 - 3 Impugning worst motives (7)
 - 8 Trimmed thicket; manage this (7)
 - 9 Taxonomic classes; haply (anag.) (5)
 - 10 Thin leather tie; whip (5)
 - 11 Fall ill again; The — (Van-burgh) (7)
 - 13 No light at all (5,4)
 - 17 Signalled (for lift); flipped through (book) (7)
 - 19 Fabric sounds like sea swell (5)
 - 20 Military chaplain (5)
 - 22 Connection, communication (7)
 - 23 Chides (7)
- DOWN
- 24 Fruit prickly one, a cactus (4)
 - 1 Move out of (premises) (6)
 - 2 Without preparation (9)
 - 3 Prepare for action (5,3,5)
 - 4 Everest on its N border (5)
 - 5 Shout; sob (3)
 - 6 Person in charge; editorial (6)
 - 7 Tiny person (6)
 - 12 Impassive expression (5,4)
 - 14 Not present (6)
 - 15 Torpor; dazed condition (6)
 - 16 Trusty advisor (6)
 - 18 Comfortless; a Dickens House (5)
 - 21 Give name; make knight (5)

SOLUTION TO NO 1231
ACROSS: 6 Crofter 7 Round 9 Manse 10 Angular
11 Come to a head 14 Rehabative 17 Coracle 19 Three
21 Sloop 22 Decant
DOWN: 1 Go/on 2 Streamer 3 Errant 4 Drag 5 Bull's-eye 6 Coma 8 Deride 11 Cube root 12 Acid test
13 Precis 15 Agenda 16 Pent 18 Cope 20 Ream

Evans calls for show of character in wake of Strasbourg debacle

BY MATT DICKINSON

AS THE Liverpool players trudged across the tarmac at Speke airport in the early hours of yesterday morning, conducting their inquests in little groups, one man — in stark contrast to the Anfield tradition in which he is steeped — walked alone. His normal shyness deadened by shock, Roy Evans, the Liverpool manager, was deep in his own thoughts.

Where those thoughts took him in the immediate aftermath of the 3-0 defeat by Strasbourg can only be guessed at, but one thing became apparent yesterday: resignation was not an option spinning around his troubled mind.

"We have to try and solve the problems, and you don't do that by walking away," he said. "We are all in this together. It is not just about me. We all have to show our true character. You get spells like this in football. No one likes them, but you have to stand up and be counted. I certainly take responsibility, because that is my job."

That Evans should, and will, be given the chance to salvage Liverpool's season does not seem to be in immediate doubt, if only because candidates already banded around as potential replacements vary from the improbable — Bobby Robson — to the implausible — Johan Cruyff and Kevin Keegan.

There is no doubting, though, that his reign has reached a critical juncture. European defeat, and there is little reason to believe that they will overhaul the three-goal deficit in the second leg of their second-round tie, will

only increase the pressure on Evans to end Manchester United's domination of the FA Carling Premiership.

Yet the signs are far from optimistic there, too, despite an outlay of more than £10 million in the summer. Ninth at present, they face a tricky test at home to a buoyant Derby County on Saturday. A quick transformation in mood and fortunes is essential, and to that end changes are inevitable to a defence that was outplayed, out-thought and outmanoeuvred by an average French side on Tuesday night. Mark Wright and Rob Jones are likely to return in place of the hapless Neil Ruddock and Jason McAteer.

There seems little doubt, though, that Liverpool's problems go deeper than a quick reshuffle. Like Kevin Keegan at Newcastle, Evans, a decent, thoughtful man, appears to be

questioning his own motivational abilities and whether he has what it takes to turn challengers into champions. It was that inability that drove Keegan from St James's Park, despairing that he had gone as far as he could, and Evans



Evans under pressure

Doubts raised over sponsorship plans

COCA-COLA, the drinks company, has refused to confirm whether it is about to discontinue its sponsorship of the Scottish League Cup. The firm has invested more than £3 million in the competition over the past four years, but its present deal expires after the November 30 final between Celtic and Dundee United.

Bell's, the whisky firm, has already withdrawn its £10 million backing of the league programme after uncertainty over the proposed breakaway by the top ten clubs. The loss of another big sponsor would be a further

blow to the Scottish game, with the smaller clubs looking for assurances over their share of future sponsorship deals.

A Coca-Cola spokesman would only say: "Discussions about a new contract are ongoing." He refused to give any further details of the company's intentions to continue their involvement in the game.

Reports have suggested that the competition is no longer as desirable to would-be sponsors, with its future under debate after the withdrawal this season of a European place for the winners.

betrayed the same self-doubts in France this week. "We know we have good players, but it is all about getting the best out of them," he said. That Evans was in part to blame for such a poor performance is beyond argument. Panicking after the lacklustre performance against Everton on Saturday, he rashly threw Leonhardsen and Redknapp into a midfield where even Paul Ince looked lost, despite the fact that neither had started a game this season. By no means the worst culprits, both looked off the pace as the French side overwhelmed them.

Worse still, Evans surprised his players by reverting to the back-five system abandoned earlier in the season, only revealing the switch late on the day of the game. Stig Inge Bjornebye and Steve Harkness, in particular, looked woefully uncertain of their roles against pacy attackers.

Zinfandel?

Wasn't she a ballerina?

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